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ABSTRACT

This document brings together a series of short papers that examine 20 educational issues affecting all 50 states in the U.S. The following issues are addressed: (1) accountability, with an emphasis on performance-based accountability systems and state-performance indicators; (2) alternative schools for disruptive students; (3)assessment, especially states conducting student competency testing for high-school graduation; (4) character/citizenship education, with such concerns as the pledge of allegiance and state policies on citizenship education; (5) charter-school equity; (6) school choice; (7) class-size reduction; (8) communication; (9) determining the costs of a basic or core education; (10) versions of HOPE scholarships; (11) state constitutions and public-education governance; (12) states' student promotion/retention policies; (13) common state strategies and summaries of state policies to improve student reading; (14) service learning; (15) teacher preparation and professional development; (16) student results and teacher accountability; (17) beginning-teacher mentoring programs; (18) national board for professional teaching standards; (19) trends in teacher recruitment; and (20) vouchers. Many of the reports contain tables of data that detail, state-by-state, the issue under consideration. (RJM)

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December 1999

Over the last year, the ECS Clearinghouse issued over two dozen *Clearinghouse Notes* on a wide array of education issues. Typically the *Notes* show at-a-glance state legislation passed or pending on specific issues. This packet contains the complete set for 1998-99.

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ACCOUNTABILITY

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Performance-Based Accountability Systems

Source: Education Accountability Systems in the 50 States, Education Commission of the States, 1999

The systemic approach of combining standards, assessment and accountability into a unified set of laws and regulations — a "performance-based accountability system" — has been coming onto the state scene for the last 25 years.

In the early 1970s, the National Assessment of Educational Progress' move to criterion-referenced testing — which measures student performance against content standards — illustrated the need for more specific standards by which to gauge student achievement. Since then, states and the federal government have introduced a variety of measures to respond to public pressures to improve schools and increase student achievement. The rise of minimum competency testing, the development of stronger statewide standards and assessments, and the use of a multitude of indicators (such as the U.S. Department of Education's "wall chart" comparison of state test performance) eventually pushed states to add another element — the use of rewards and sanctions. In numerous states, schools and districts whose students exceed standards are eligible for rewards, while those whose achievement fall below the set standards may receive a variety of sanctions, including being declared "academically bankrupt."

The accountability circle is complete when teachers, students, building and district leaders have clear instructional goals (standards), when states and local districts have developed sound assessment techniques and quality indicators, and when visible consequences for all involved parties have been put into practice (rewards and sanctions).

A complete performance-based education accountability system, therefore, includes these four components: *standards and assessments, multiple indicators, rewards* and *sanctions*. All four components may not exist in any one state, and any or all may occur in one of two ways — as a mandate from the state or as a piece of education policy and/or regulation.

Definitions of Components

Standards and assessments. Content or performance standards are written to provide clear expectations of what students must know and be able to do in designated subject areas at specific grade levels. The standards are coupled with assessments that measure how successful students are in meeting the standards.

Multiple indicators. An indicator measures either directly or indirectly the effect of a particular element on student achievement. Indicators include, for example, school or district "report cards," attendance and dropout rates, demographics and expenditures.

Rewards. A reward is granted to a teacher, school or district when student achievement exceeds the established standards or previously reported outcomes. These rewards are given for gains made; they are not given as grants or waivers to help schools work toward gains. Rewards are usually monetary.

Sanctions. If student achievement falls below levels set by the standards, or if student test scores continually fail to show gains, the state may apply sanctions against whole districts, or districts may apply sanctions against individual schools. Sanctions vary from a simple warning to intervention and take over by state officials.

State Components

The three tables that follow describe the general form of each state's accountability system. Table 1 shows which components a state has and whether they exist in statute or regulation. The word "none" indicates that the component does not exist or exists only in recommendation or publication form from the state department of education. Table 2 summarizes the information presented in Table 1, and Table 3 refers to statute numbers for those components found in state code.

Table 1: Accountability Components in Statute and Regulation

State	1 - Standards/ Assessments	2 - Multiple Indicators	3 - Rewards	4 - Sanctions
AK	statute/statute	statute	none	statute
AL	statute/statute	statute	none	statute
AR	statute/statute	statute	none	statute
AZ	regulation/statute	statute	statute	none
CA	statute/statute	statute	none	none
CO	statute/statute	statute	none	statute
CT	none/statute	regulation	statute	statute
DE	regulation/statute	statute	statute	statute
FL	statute/statute	statute	statute	statute
GA	statute/statute	statute	statute	statute
HI	statute/none	statute	none	none
IA	none/none	statute	none	statute
ID	regulation/none	statute	none	none
IL	statute/statute	statute	statute	statute
IN	statute/statute	statute	statute	statute
KS	statute/statute	regulation	none	regulation
KY	statute/statute	statute	statute	statute
LA	statute/statute	statute	none	statute
MA	statute/statute	statute	none	statute
MD	regulation/statute	regulation	statute	regulation
ME	statute/statute	regulation	none	none
MI	statute/statute	statute	none	statute
MN	none/statute	none	none	none
MO	statute/statute	statute	none	statute
MS	regulation/statute	regulation	none	statute
MT	none/none	none	none	none
NC	statute/statute	regulation	statute	statute
ND	none/none	none	none	none
NE	regulation/statute	none	statute	none
NH	statute/statute	statute	none	none
NJ	regulation/regulation	statute	statute	statute
NM	regulation/statute	statute	statute	statute
NV	statute/statute	statute	none	statute
NY	regulation/regulation	statute	none	regulation
OH	regulation/statute	statute	none	statute
OK	regulation/statute	statute	none	statute
OR	statute/statute	statute	none	statute
PA	regulation/regulation	statute	statute	none
RI	statute/statute	statute	none	statute
SC	statute/statute	statute	statute	statute
SD	statute/statute	none	none	none
TN	statute/statute	statute	none	statute
TX	statute/statute	statute	statute	statute

State	1 - Standards/ Assessments	2 - Multiple Indicators	3 - Rewards	4 - Sanctions
UT	statute/statute	statute	none	none
VA	statute/statute	regulation	none	regulation
VT	statute/statute	none	none	statute
WA	statute/statute	statute	statute	statute
WI	exec. order/statute	statute	none	none
WV	regulation/statute	statute	none	statute
WY	none/none	none	none	none

Table 2 below shows how many states have each of the individual components in place in statute or regulation, and how many do not. Also, since several of the states show standards in one place and assessments in another, the table breaks out that component.

Table 2: Summary of Table 1 — Accountability Components in Statute and Regulations

Components:	Standards	Assessments	Multiple Indicators	Rewards	Sanctions
In statute	30	41	36	17	31
In regulation	13	3	7	0	4
By executive order	1	0	0	0	0
None	6	6	7	33	15
TOTAL	50	50	50	50	50

Territorial Descriptions

American Samoa (no data available)

District of Columbia
Responsibility for the creation and implementation of accountability mechanisms rests with the superintendent of schools, a position which currently carries responsibility for both state and district functions. Standards have been written for the district and are in use, as well as an assessment (Stanford 9) which is aligned with both standards and district goals.

Accountability for gains or losses in student achievement are part of the Professional Performance Evaluation Process, a new evaluation system for teachers. Sanctions attached to the use of this process include (1) an intervention program for teachers to help them improve their performance and help students raise their achievement scores, and (2) reassignment if scores remain low in their classrooms. The reassignment sanction is also in place for administrators if building scores are low and show no improvement. No reward component exists at this time.

Puerto Rico
Although none of the components are yet in statute, Puerto Rico is making excellent progress in education accountability. All parts of the system currently rest with the Department of Education for both development and implementation.

Standards have been written in math, science, English, Spanish, social studies, health, fine arts and physical education. In addition, standards for seven vocational technological programs have been formulated and are under revision. The standards have also been aligned to the curriculum and most of them are in alignment with the National Standards. A state assessment system is also in place. An extensive system of accountability indicators gathers both quantitative and qualitative data. Information is collected in the following areas: (1) academic program, (2) technological education, (3) technological institutes, (4) integrated services for handicapped people, and (5) schools safe of drugs and weapons. Rewards and sanctions components are being considered.

Virgin Islands

The Virgin Islands continues to build its education accountability system. Both standards and assessments have been established as goals of the Department of Education, and progress continues to be made on the development of both components. A graduation exit examination is being considered during the 1999 legislative session. Interest also exists in designing both rewards and sanctions components.

Multiple Indicators

Multiple indicators is the component that links standards and assessments to rewards and sanctions. Because these indicators are both varied and numerous, they are not presented here (see, however, Clearinghouse Note on Performance Inficators). The indicators listed were gathered from statute, regulation and state department of education documents. The two states (Idaho, New York) that have multiple indicators as their only accountability component most likely require a "report card" to the public.

As noted previously, indicators listed are either measures of gains in student achievement or are elements perceived to influence those gains. They have two primary functions. First, the state education department uses the indicators to
analyze whether school improvement goals have been met. Second, the state may use
them to determine whether a district or school qualifies for a reward or if the state needs to apply a sanction for low performance.

Use of Indicators

Seven of the indicators are used by 16 or more states. They are:

Assessment scores (41 states)

Dropout rate (33 states)

Student attendance (29 states)

Expenditures and use of resources (includes per-pupil expenditure) (27 states)

Graduation rate (18 states)

Student behavior (includes discipline, truancy, expulsion and/or suspension) (18 states)

Transition (education or employment after high school graduation) (16 states).

Assessment scores, the first indicator in the student category and the one states use most frequently to indicate gains in student achievement, are also one of the most complicated indicators. Various types of assessments are used to collect the student test scores reported in this subcategory, including, but not limited to, norm-referenced tests, criterion-referenced tests, performance assessments and portfolios.
Scores from these tests may be used separately or in combination to analyze gains. Current year's scores may be compared to the previous year's or years' data, using national norms or state standards, whichever is applicable. The comparisons formed may be between individual classes at specified grade levels, among buildings within a district or among districts.

Comparing individual student scores gives the most accurate data on student gains but is used less frequently than group comparison. Tracking individual student progress is more expensive than group comparisons and is becoming increasingly difficult because of the mobile nature of the American population. While it seems reasonable to compare last year's 4th-grade scores with this year's 5th-grade scores, this year's 5th graders may not be the same children as last year's 4th graders. Shifts in employment and other factors can cause drastic changes in student populations. Accurate tracking even within state borders is cumbersome, time consuming and can be prohibitively expensive. Only four states mandate the collection of data on student mobility — Alaska, Colorado, Illinois and Nevada, states that seem to have little in common.

Using two years of assessment data may give a fairer picture of gains in student achievement when using group comparisons for allocating rewards and sanctions in an accountability system.

Components in State Statute

The next table, Table 3, shows which components of a performance-based accountability system exist in current statute in each state and the statute number assigned to that component in code.

The table does not show components that exist only in state regulation and/or publications from state departments of education. For instance, more than 95% of states have or are developing content standards and accompanying assessments, but only those mandated by statute are included here.

In addition, indicators may occur separately in statute, as in state report cards or school profiles, or they may be listed within state statutes that govern sanctions or rewards. Wherever they occur, they are listed here only if they include some assessment of student achievement.

Rewards also must be based on some measure of student gain; most are monetary in nature. Waivers are included as rewards only if they are granted without the need of application and are awarded as a result of gains in student achievement. Most waivers are not rewards for achievement, but rather a way to assist a school or district attempting to raise student achievement with a new plan or program they are unable to operate under current regulation.

Finally, sanctions may occur in a separate statute or be included within the public school accreditation system. Sanctions are included here only if they are based on measures of student achievement.

Alignment Issue

The existence of the various components of an accountability system does not mean those components are aligned with one another or make up a coherent accountability package. For instance, an indicator such as a state report card or school profile may have been placed in statute up to 10 years before the state mandated standards and/or assessments. Also, in many cases, state assessments are based on early curriculum frameworks, not current content standards, or are not aligned with state curriculum or standards.

In addition, though based on measures of student achievement, sanctions may be part of a school accreditation system enacted well before other components. They may have a separate set of indicators or may include indicators not tied to student achievement. When that is the case, the sanctions may not be aligned with newer statutes or regulations concerning standards or rewards.

Table 3: Statute References for Accountability Components

Key: * s - standards; a - assessments

State	*	Standards and Assessments	Multiple Indicators	Rewards	Sanctions
AK	s a	§ 14.07.020 (b)(1) § 14.07.020 (b)(2)	§ 14.03.120		§ 14.03.123
AL	s a	§ 16-6B-1 § 16-6B-1	§ 16-6B-7		§ 16-6B-3
AR	s a	§§ 6-15-401-407 §§ 6-15-404/405	§ 6-15-806		§ 6-15-418
AZ	a	§ 15-741	§ 15-746	§ 15-757	
CA	s a	§ 60602 § 60604	§ 33126		
CO	s a	§ 22-53-407 § 22-53-409	§ 22-11-104		§ 22-11-202
CT	a	§ 10-14n		§ 10-262 l	§ 10-4b (b)
DE	a	14 § 151-152	§ 124A (d)	14 § 154 (3)(c)	14 § 154 (D)(1-4)
FL	s a	§ 229.565 § 229.57	§ 236.1228 (4)	§ 236.1228	§ 229.0535
GA	s a	§ 20-2-281 § 20-2-281	§ 20-2-282 (d)	§ 20-2-253	§ 20-2 282 § 20-2-283

State	*	Standards and Assessments	Multiple Indicators	Rewards	Sanctions
HI	s	§ 302A-201	§ 302A-1004		
IA			§ 256.7 (21)		§ 256.11 (10)(12)
ID			§ 33-4501		
IL	s	§ 105 ILCS 5/2-3.64	§ 105 ILCS 5/10-17A	§ 105 ILCS 5/2-3.25C	§ 105 ILCS 5/2-3.25F
	a	§ 105 ILCS 5/2-3.64			§ 105 ILCS 5/34-8.3
IN	s	§ 20-10.1-16-6	§ 20-1-1.2-6	§ 20-1-1.3-3	§ 20-1-1.2-9
	a	§ 20-10.1-16-4			
KS	s	§ 72-6439 (b)(c)			
	a	§ 72-6439 (b)(c)			
KY	s	§ 158.6453	§ 158.6451	§ 159.6455	§ 158.6455
	a	§ 158.6453			
LA	s	§ 17:391.3	§ 17:3911(B)		§ 17:391.10
	a	§ 17:391.3			
MA	s	69 @@ 1I	69 @@ 1I		69 @@ 1J
	a				
MD	a	§ 7-204		§ 5-208	
ME	s	§ 6209			
	a	§ 6202			
MI	s	§ 15.41278	§ 15-41204 (1)		§ 15.41280
	a	§ 15.41278			
MN	a	§ 121.1113			
MO	s	§ 160.514	§ 160.522		§ 160.538
	a	§ 160.518			
MS					§ 37-17-6
	a	§ 37-16-1			§ 37-17-13
MT					
NC	s	§ 115C-105.3		§ 115C-105.36	§§ 115C-105.37-39
	a	§§ 115C-174.10-11			
ND					
NE	a	§ 79-760		§ 79-758	
NH	s	§ 193-C	§ 193-E (3)		
	a	§ 193-C			
NJ			§ 18A:7E-3	§ 18A:7F-29	§ 18A:7A-14
NM	a	§ 22-2-8.5	§ 22-1-6	§ 22-13A	§ 22-2-14
					§ 22-2-15
NV	s	§ 389.010	§ 385.347		§ 385.363-389
	a	§ 389.015			
NY			NY CLS Educ @@ 215-a		
OH	a	§ 3301.07.10	§ 3301.0714		§§ 3302.03-.04
OK			§ 1210.531		§ 1210.541
	a	§ 1210.505-512			§ 1210.542
OR	s	§ 329.045	§ 329.115		§ 334.217
	a	§ 329.485			
PA			24 P.S. @@ 25-2595	24 P.S. @@ 25-2595	
RI	s	§ 16--7.1-2	§ 16-604-4(22)		§ 16-7.1-5
	a	§ 16-7.1-13			
SC	s	§ 59-30-10	§ 59-18-30	§ 59-18-10	§ 59-18-30
	a	§ 59-30-10			
SD	s	§ 13-3-48			
	a	§ 13-3-55			
TN	s	§ 49-1-601	§ 49-1-601		§ 49-1-601
	a	§§ 49-1-603-610			§ 49-1-602

State	*	Standards and Assessments	Multiple Indicators	Rewards	Sanctions
TX	s	§ 39.021	§ 39.051	§ 39.091-.112	§ 39.131
	a	§ 39.022	§ 39.052		
UT	s	§ 53A-1a-107	§ 53A-3-602		
	a	§ 53A-1-601-610			
VA	s	§ 22.1-253.13:1			
	a	§ 22.1-253.13:3			
VT	s	16 V.S.A. § 164 (9)			16 V.S.A. § 165(7)
	a	16 V.S.A. § 164 (9)			
WA	s	§ 28A.630.885(3)(a)	§ 28A.320.205	§28A.630.885(3)(h)	§ 28A.630.885(3)(h)
	a	§ 28A.630.885(3)(b)			
WI	s	executive order	§ 115.38		
	a	§ 118.30			
WV	a	§ 18-2E-1a	§ 18-2E-5 (d)		§ 18-2E-5
WY					

Conclusion

Original data for this project were collected over a period of six months in spring 1997 and updated through January of 1999. After searching statute books, online databases and state World Wide Web sites, researchers made phone calls to state departments of education in 28 states to check data or secure more information that would make each state profile as accurate as possible in Tables 1 and 3. Information was updated in January 1999.

These phone calls brought a human aspect to both the details and patterns that the tables display. In all cases, individuals contacted seemed genuinely proud of education in their states and were looking forward to changes that would improve the education provided to their citizens. They also spoke about three problematic items that also became more apparent as the data were analyzed. Those problems were: (1) the nonalignment of system components, (2) the differences resulting from placing some components in statute and others in regulation, and (3) the absence of rewards in many accountability systems.

Nonalignment of System Components

The issue of nonalignment presented itself both in data analysis and in phone conversations with state superintendents, state education department staff and experts connected with state legislatures. First, systems that seemed to be complete in the data showed weaknesses when statute number sequence was analyzed. Careful reading of the statute showed that in some cases, multiple indicators were from a previous report card system, sanctions were tied to a previously existing accreditation system based on inputs rather than outcomes of student learning, or what appeared to be standards was simply the original mandate for curriculum frameworks or basic required curricula for graduation.

Also, in many cases, the state testing system was not yet aligned with new state content standards. If these systems are not aligned, they become confusing and cumbersome for educators at all levels who must implement and use them.

Statute vs. Regulation

The differences caused by placing some components in statute and others in regulation may prove to be minimal. Having to search both state code and regulation to complete the data collection proved to be both difficult and confusing. Many phone conversations centered around this issue, although confusion was usually resolved with one or two contacts in each state.

In talking with an education department staff person in Kansas, a state whose system is all in regulation except for standards and assessments, this question finally surfaced: "Do components in regulation have the same 'teeth' as components in statute?" Accountability systems are complex and costly, and if the power to implement and maintain the system is not present, even a well-planned system could prove ineffective. The Kansas staffer observed that in that state, *where* the accountability system was placed did not seem to be an issue. All Kansas school districts are in compliance with the system, and there have been no court challenges. Kansas has a decentralized locus of authority. Are regulation and statute power perceived in the same way within states that are moderately decentralized or centralized?

Absence of Rewards

Finally, rewards appear to be the absent component in many state accountability systems. There are 10 states with complete (1-2-3-4) systems in statute, aligned and unaligned. If the systems described as 1-2-4 were to add rewards, nearly half of the states would have complete systems. Several problems exist, however, in the creation of this component.

First, experts disagree on whether incentives and rewards are effective in public education. They often produce changes in behavior and practice, but there is question as to whether these changes are permanent or transitory.

Second is the issue of fairness. Rewards must be based on indicators that are valid and reliable. They also must be awarded and disseminated in a manner that is perceived as fair by all those eligible for the rewards.

Finally, there is the issue of trust. A reward is somewhat like holding a carrot in front of a horse. What happens when the carrot disappears? The reward component and the initial appropriation of funds must be sustained over time if educators are to perceive rewards as useful and valuable.

People in several states shared information and opinions about rewards in phone conversations. The component is being considered in many of the states that have a 1-2-4 system, but the words state officials used to describe how the process was proceeding were "carefully" and "cautiously." In many ways, the other three components in an accountability system deal with students. The rewards component deals directly with adults, particularly with teachers. People in many states, including California and New York, said they are working on the issue.

Questions for Future Study

1. How does the governance structure of a state affect creation of an education accountability system?
2. What factors or characteristics of a state, including governance models and locus of control, affect the design of these systems?
3. How is implementation of an accountability system affected by these factors or characteristics?
4. If system components are aligned, that is, if they use the same measures of student learning, do educators perceive them to be more equitable?
5. Are systems where all components are fully aligned more successful in improving student achievement than nonaligned systems?

Compiled by Judith K. Mathers, policy analyst, ECS.

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State Performance Indicators
ECS Information Clearinghouse
1999

[Excerpts from **Education Accounability Systems in 50 States**, ECS, January 1999]

Multiple indicators is the component that links standards and assessments to rewards and sanctions. The indicators listed below were gathered from statute, regulation and state department of education documents. They are either measures of gains in student achievement or elements perceived to influence those gains. They have two primary functions. First, the state education department uses the indicators to analyze whether school improvement goals have been met. Second, the state may use them to determine whether a district or school qualifies for a reward or if the state needs to apply a sanction for low performance.

The four main categories of indicators used for the chart below relate to: (1) students, including assessment scores, diversity, dropout rate and truancy; (2) professional staff, including attendance, experience and salary levels; (3) program, for instance, curriculum, climate and parent involvement; and (4) expenditures and use of resources, which includes per-pupil expenditure. Though items in the last three categories are not immediate indicators of gains in student achievement, they are perceived by educators, legislators and researchers as having a direct relationship to student achievement.

Alaska - Kentucky

INDICATORS:	AK	AL	AR	AZ	CA	CO	CT	DE	FL	GA	HI	IA	ID	IL	IN	KS	KY
Student:																	
Assessment scores	x	x	x	x	x	x	x	x	x	x	x			x	x	x	x
ACT and/or SAT scores					x		x							x	x		
Advanced Placement (AP) courses: offered scores					x										x		
Attendance	x	x	x				x	x						x	x	x	x
Class size							x							x	x		
Demographics							x	x		x	x		x		x	x	
Discipline			x		x			x	x				x		x	x	
Diversity				x	x		x			x							
Dropout rate	x	x	x	x	x		x		x	x			x	x		x	x
Enrollment	x				x		x			x							
Expulsion rate									x						x	x	
Graduation rate	x	x		x						x				x	x	x	
Retention rate	x		x														x
Student/administrator ratio								x						x			

INDICATORS:	AK	AL	AR	AZ	CA	CO	CT	DE	FL	GA	HI	IA	ID	IL	IN	KS	KY
Student/teacher ratio							x	x						x			
Suspension rate									x						x	x	
Transition		x	x	x	x		x			x					x		x
Truancy								x						x			
Professional Staff:																	
Attendance							x										
Diversity																	
Evaluation					x								x				
Experience							x										
Leadership					x								x				
Preparation																	
Reduction of class size & teaching load					x								x				
Salary levels														x			
Staff development					x								x			x	
Working in area of certification					x								x				
Program:																	
Curriculum					x			x					x				
Learning climate					x											x	
Mission and/or goals statement								x					x				
Parental and/or community involvement	x							x						x		x	
Expenditures and Use of Resources:			x		x		x	x		x	x		x	x		x	

Louisiana - Nevada

INDICATORS:	LA	MA	MD	ME	MI	MN	MO	MS	MT	NC	ND	NE	NH	NJ	NM	NY	NV
Student:																	
Assessment scores	x	x	x	x	x		x			x	x		x	x	x	x	x
ACT and/or SAT scores	x										x			x	x		
AP courses: offered scores															x		
Attendance	x	x	x	x			x			x	x		x	x			x
Class size	x	x											x	x			x
Demographics	x									x							
Discipline																	x
Diversity										x	x						
Dropout rate	x	x	x	x			x						x	x	x		x
Enrollment		x		x			x				x			x	x	x	
Expulsion rate	x	x		x									x				x
Graduation rate	x										x		x	x		x	
Retention rate					x												
Student/administrator ratio							x										

INDICATORS:	LA	MA	MD	ME	MI	MN	MO	MS	MT	NC	ND	NE	NH	NJ	NM	NY	NV
Student/teacher ratio	x	x					x				x			x			x
Suspension rate	x	x											x				x
Transition							x				x			x	x	x	
Truancy		x											x				x
Professional Staff:																	
Attendance	x												x	x			
Diversity		x		x													
Evaluation		x															
Experience				x			x				x						
Leadership																	
Preparation				x			x				x					x	x
Reduction of class size & teaching load																	
Salary levels				x						x	x						
Staff development							x				x					x	
Working in area of certification	x												x				
Program:																	
Curriculum	x	x			x						x		x				x
Learning climate																	
Mission and/or goals statement													x		x		
Parental and/or community involvement					x		x						x		x		x
Expenditures and Use of Resources:	x	x					x			x	x		x	x	x	x	x

Ohio - Wyoming

INDICATORS:	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VA	VT	WA	WI	WV	WY
Student:																
Assessment scores	x	x	x	x	x	x		x	x	x	x	x	x	x		
ACT and/or SAT scores				x					x	x		x				
AP courses: offered											x					
scores										x		x		x		
Attendance	x	x			x			x	x	x	x	x	x	x		
Class size												x	x		x	
Demographics	x		x		x							x	x			
Discipline	x	x														
Diversity										x	x					
Dropout rate	x	x	x	x		x		x	x	x	x	x	x	x		
Enrollment	x									x		x	x		x	
Expulsion rate	x												x	x		
Graduation rate	x	x	x						x				x	x		
Retention rate	x											x	x	x		
Student/administrator ratio															x	
Student/teacher ratio	x								x	x		x			x	

INDICATORS:	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VA	VT	WA	WI	WV	WY
Suspension rate	x	x			x								x	x		
Transition		x												x	x	
Truancy														x		
Professional Staff:																
Attendance					x											
Diversity			x													
Evaluation																
Experience			x							x					x	
Leadership																
Preparation																
Reduction of class size & teaching load																
Salary levels																
Staff development																
Working in area of certification																
Program:																
Curriculum																
Learning climate																
Mission and/or goals statement					x								x			
Parental and/or community involvement		x			x											
Expenditures and Use of Resources:	x		x						x	x		x	x	x	x	

Use of Indicators

Seven of the indicators are used by 16 or more states. They are:

- Assessment scores (41 states)
- Dropout rate (33 states)
- Student attendance (29 states)
- Expenditures and use of resources (includes per-pupil expenditure) (27 states)
- Graduation rate (18 states)
- Student behavior (includes discipline, truancy, expulsion and/or suspension) (18 states)
- Transition (education or employment after high school graduation) (16 states).

Assessment scores, the first indicator in the student category and the one states use most frequently to indicate gains in student achievement, are also one of the most complicated indicators. Various types of assessments are used to collect the student test scores reported in this subcategory, including, but not limited to, norm-referenced tests, criterion-referenced tests, performance assessments and portfolios.

Scores from these tests may be used separately or in combination to analyze gains. Current year's scores may be compared to the previous year's or years' data, using national norms or state standards, whichever is applicable. The comparisons formed may be between individual classes at specified grade levels, among buildings within a district or among districts.

Comparing individual student scores gives the most accurate data on student gains but is used less frequently than group comparison. Tracking individual student progress is more expensive than group comparisons and is becoming increasingly difficult because of the mobile nature of the American population. While it seems reasonable to compare last year's 4th-grade scores with this year's 5th-grade scores, this year's 5th graders may not be the same children as last year's 4th graders. Shifts in employment and other factors can cause drastic changes in student populations. Accurate tracking even within state borders is cumbersome, time consuming and can be prohibitively expensive. Only four states mandate the collection of data on student mobility — Alaska, Colorado, Illinois and Nevada, states that seem to have little in common.

Using two years of assessment data may give a fairer picture of gains in student achievement when using group comparisons for allocating rewards and sanctions in an accountability system.

This Clearinghouse Note and **Accountability Systems in 50 States** compiled by Judie Mathers, Policy Analyst, ECS.

Clearinghouse Notes are multi-state policy compilations.

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Clearinghouse Notes

ALTERNATIVE EDUCATION

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Alternative Schools for Disruptive Students

Information Clearinghouse May 1999

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
AL				none		
AK				none		
AZ	ARIZ. REV. STAT. §15-796	V	district	School board "may contract with any public body or private person for the purpose of providing alternative education programs."	1982	Placement contingent on approval of parent or guardian of named pupil, or of pupil if he is emancipated. "Alternative education" "means the modification of the school course of study and adoption of teaching methods, materials and techniques to provide educationally for those pupils in grades six through twelve who are unable to profit from the regular school course of study and environment."
AR	ARK. CODE ANN. § 6-18-508	M	district or public school educational cooperative	"Every school district shall establish an alternative learning environment"	1995	An "alternative learning environment...may be established by more than one...school district or may be operated by a public school educational cooperative."
	ARK. CODE ANN. § 6-18-509	M	district	Alternative schools or classes in Arkansas should assess students before placing them in classes, and should provide personalized, constructive rather than punitive intervention services to deal with behavioral problems.	1993	Teachers shall be provided with inservice training by the Department of Education.

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
CA	CAL. EDUC. CODE § 52900-904; 58550-58562	V	district	Reauthorizes a school district that participates in school-based program coordination to establish an alternative education and work center for school dropouts at a continuation high school or adult school or to contract with a private non-profit community-based organization. The center would be required to teach basic academic skills, operate on a clinical, client-centered basis, and provide programs that include specified qualities.	1995	
CO	COLO. REV. STAT. §§ 22-38-101 through 22-38-115	V	state board	Authorizes opening of four pilot schools, each in a different quarter of the state. Two will be residential, two non-residential; courses in year-round format. The schools will target at-risk middle-school students, and must have an enrollment of 2/3 expelled students.	1996	"[A] pilot school may operate free from specified school district policies, state statutes, state regulations, and contract requirements otherwise applicable to schools located in the school district where the pilot school is located...A pilot school shall be responsible for its own operation including, but not limited to, preparation of a budget, compilation of any data required by this article, contracting for services, and personnel matters." Funded by state department of education; "grants, donations, and contributions from public or private sources" also permitted.
	COLO. REV. STAT. § 22-33-203	M	district	Contains a new Expelled Student Program requirement for school districts in addition to the Expulsion Prevention Programs in C.R.S.22-33-201-204. New law requires the school district, upon the request of a student or student's parent, to provide services for any student who is expelled from the school district.	1997	
CT				none		
FL	FLA. STAT. ANN. § 230.02	V	district	Authorizes alternative school board policies for assignment of disruptive, violent, and delinquent youth; provides for second chance for youths. Assignment of students to second chance schools is addressed through 230.2316; allows districts to assign students based on any one of several disciplinary criteria.	1995	May be funded by each district or provided through cooperative programs administered by a consortium of districts, private providers, state and local law enforcement agencies, and the Department of Juvenile Justice.

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
GA	GA. CODE ANN. § 42-2-5.1	V	board of corrections	Authorizes creation of a special school district for incarcerated youth.	1995	Board of Corrections will serve as board of education; the Commissioner of Corrections will serve as superintendent of schools. The Board of Corrections will establish education standards for the special school district.
	GA. CODE ANN. § 20-2-751.1	V	district	Provides for the establishment of policies by local boards requiring the expulsion of students who bring weapons to school; authorizes placement of such students in alternative programs.	1994	Governor Zell Miller authorizes an alternative education program called Crossroads, targeted for disruptive and nonattending students in grades 6-12. Funds come from state lottery and are given to local school districts.
HI	HAW. REV. STAT. § 298.11	M	district	Superintendent must analyze cases of students who bring firearms to school--if necessary and appropriate, these students to be provided alternative education.	1995	
ID				none		
IL		V	district	Each educational service region except in Chicago may establish one or more alternative schools for disruptive students in grades 6-12 who would otherwise be suspended or expelled. Such schools must be away from regular school grounds. A public school may immediately transfer disruptive students to an alternative school. A meeting will then be held, with a parent invited, to develop the student's education plan, including a date by which the student may return to the regular school. Such a student who fulfills all graduation requirements of a transferring high school will receive a diploma from it. The regional school board will control the alternative school.	1995	
IN	IND. CODE § 20-8.1-5.1 -17	V	school	A principal has authority to require students of at least sixteen years of age, who wish to reenroll after an expulsion, to attend an alternative school, evening classes, or classes especially for students who are of at least sixteen years of age.	1996	
IA				none		

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
KS	KAN. STAT. ANN. § 72-9201	V	district	Districts may send students in grades 7+ to alternative schools. Students must be "determined by board...to be unable to benefit from other schools of the school district."	1974	"Courses of instruction and other requirements of statutes and rules and regulations shall apply to any such schools to the extent that the same are not obstructive to programs of learning and instruction in such schools."
KY				none		
LA	LA. REV. STAT. ANN. § 17: 416.2	M	district	Requires suspended and expelled pupils to take part in an alternative education program approved by the State Board of Elementary and Secondary Education.	1994	
ME				none		
MD	MD. CODE ANN., EDUC. § 7-304	V	county	County superintendent, upon reviewing case of student who brings firearm to school, may choose to send him to alternative educational setting if these have been approved by the county board.	1995	
	MD. CODE ANN., EDUC. § 7-303	V	district	Establishes the Baltimore City Alternative Learning Center in the Baltimore City Public School System. Programs within the center must include elementary and secondary education programs, special education programs that fulfill the social and emotional needs of students and require the participation of the parents or guardians of the students, and vocational and rehabilitative training programs. The purpose of the bill is to provide disruptive students with the services they need and protect school staff and students.	1995	A student may be transferred to the Center if he/she: 1. assaults a teacher, teacher's aide, student teacher, a professional or paraprofessional school employee, or a student; 2. carries a deadly weapon onto school property; or 3. commits any other act that would be a crime if committed by an adult.
	MD. CODE ANN., EDUC. §§ 7-303 through 7-307	M		Requires a continuum model of prevention and intervention programs for disruptive students.	1996	Authorizes some and requires some disciplinary actions; requires the State Board of Education to adopt regulations and provide assistance; sets criteria for funding programs
MA				none		
MI				none		

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
MN	MINN. STAT. § 10A-126.2	V	district	If they meet certain criteria (chemically dependent, have mental health problems, etc.) students may enroll full time (or part-time if age 16+) "in any nonprofit, nonpublic, nonsectarian school that has contracted with the serving school district to provide educational services."		
	MINN. STAT. § 412.4.31	V		Establishes grant programs to be awarded to "school site, a school district, a charter school, or a provider of an alternative education program" applicants who work with students removed from their regular classes and place them in alternative settings." Applicants must follow constructive guidelines in establishing alternative program.		
MS	MISS. CODE ANN. § 37-13-92	M	district	Provides standards for removal of students to alternative school programs. Districts must provide program for expelled students.	1995	
MO	MO. REV. STAT. § 160.26	M	district	School districts are not prohibited from offering alternative education programs to suspended students.	1995	Public schools required to suspend for at least one year any student who brings a firearm to school
MT				none		
NE	NEB. REV. STAT. § 79-266	V [M after 1-1-97]	district	Expelled student may be assigned to a "school, class, or alternative education program." Beginning January 1, 1997, school districts must have "an alternative school, class, or educational program available or in operation for all students expelled..."		These "schools, classes, or programs" may be provided by a cooperative of two or more school boards.
NV	NEV. REV. STAT. § 392.4675	V	district	A student suspended or expelled for weapon possession, drug sale or distribution, or assault of school employee may be allowed to enroll in "[a]n alternative program for the education of pupils at risk of dropping out of high school. "		
NH	N.H. REV. STAT. ANN. § 15-193:13	V	district	Expelled students may be provided "educational services...in an alternative setting."	1995	Any student who, "without written authorization from the superintendent or designee" brings a firearm onto school property, receives a 12-month minimum expulsion.

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
NJ	N.J. STAT. ANN. § 18 A:37-8	M	district	Any student who is found in possession of a firearm on school property is to be expelled from his regular school system and placed in an alternative education program. When such a program is unavailable, he shall receive home instruction "or other suitable facilities and programs, until placement is available."	1995	About half of the alternative programs have been established at community colleges; others will operate out of vocational technical centers, separate schools, or, at a minimum, school wings that segregate the potentially dangerous students from others.
NM				none		
NY				none		
ND	N.D. CENT. CODE § 15-49-13	V	district	"A school board that expels a student [for possession of a firearm on school property and/or at a school function] may provide educational services to the student in an alternative setting."		
OH	OHIO REV. CODE ANN. § 3313.533	V	district	Authorizes district boards to create alternative disciplinary middle and high schools that may operate in a certain deregulated manner and to adopt certain policies related to student conduct, dress and discipline.	1996	
OK	OKLA. STAT. tit. 70, § 1210.561	V	district or other organization	Districts or nonprofit organizations whose students include a high percentage of at-risk youth, and which have programs for such youth which meet state criteria, will be eligible to receive Alternative Approaches grants from the State Board of Education.	1992	
	OKLA. STAT. tit. 70, § 1210.563.	V	district or other organization	Districts or nonprofit organizations or entities "formed in an interlocal cooperative agreement," in counties with "a high number of dropouts...and a high number of referrals to the juvenile justice system" are eligible for Alternative Education Academy Grants. Guidelines for programs eligible for A.E.A. grants are named; i.e., the programs should be for students grades 6-12		

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
OR	OR. REV. STAT. §§ 336.615 through 336.665	M	district	Schools or separate class groups must be established; they must "maintain learning situations that are flexible with regard to environment, time, structure, and pedagogy." Open to all students. Districts must pay for schools' costs.	1995	336.655 states, "The Superintendent of Public Instruction shall find a school district to be deficient...if the district fails to cause the proposal of alternative programs to be made."
PA	PA. STAT. ANN. tit. 13, § 1317.2	V	school	"[S]chool or area vocational school" may "make an alternative assignment or provide alternative educational services" while a student is under a one-year expulsion for possession of a weapon on school property.	1995	
RI				none		
SC	S.C. CODE ANN. § 59-63-235	V	district	Students who are expelled for one year or more for possession of a firearm on school property "are not precluded from receiving educational services in an alternative setting."	1995	
SD	S.D. CODIFIED LAWS § 13-32-4	V	district	School district may provide "educational services to an expelled student in an alternative setting."	1995	
TN	TENN. CODE ANN. §§ 49-2-203; 49-2-303; 49-6-3402	V	district	Local boards may establish aleternative schools for students who have been suspended or expelled.	1996	All alternative school classrooms must have "working two-way communication systems making it possible for teachers or other employees to notify a principal, supervisor or other administrator that there is an emergency."
TX	TEX. EDUC. CODE ANN. § 37.007 through 37.019	V	district	Students who are expelled for one year or more for possession of a firearm on school property are not precluded from receiving educational services in an alternative setting.	1995	
UT	UTAH CODE ANN. § 62A-2-108.1	V		Provides for the coordination of educational services with human service programs subject to licensure.	1995	requires the program to provide satisfactory evidence that children served will receive appropriate educational services.
VT				none		
VA	VA. CODE ANN. § 22.1-277.1	V	district	Authorizes local school boards to determine the appropriate alternative education placement of students who have been placed in alternative education by court order.	1995	Applies to students charged with an offense or found guilty or not innocent of a crime for which the court disposition must be disclosed to the division superintendent.

State	Citation	voluntary/ mandatory	under whose jurisdiction	description	year enacted	notes
WA	WASH. REV. CODE § 28A.320. 140	V	district	School districts may establish schools and programs with stringent dress and discipline and parental participation standards. School boards may require students who would otherwise be suspended or expelled to attend these schools, and parents may choose to have their children attend.	1994	The bill also appropriates money for afternoon and evening school-to-work programs for dropouts and at-risk students; for the Youthbuild program, which offers training in the building and construction trades; and for the Learning and Life Skills Centers--cooperative efforts between local school districts and the state juvenile rehabilitation program to improve education and employment outcomes for court-involved youth.
WV	W. VA. CODE § 18-5-19	V	county boards	Schools have authority to work with county and state officials to design alternative settings for students who are expelled.	1996	Students expelled for one year for weapon possession and for selling or possessing illegal drugs. County boards may use state-appropriated school funds to maintain alternative schools (18-9A-21).
WI	WIS. STAT. ANN. § 118.53	M/V [depending on district dropout rate]	district	Every district must identify the children at risk under its jurisdiction and develop a plan annually by August 15 stating "how the school board will meet their needs." Names dropout figures under which districts must or may apply to the state superintendent for aid. Every board that applies for such state monies must provide program for children at risk, which named children may attend only if they or parents/guardian request. Programs to enroll 40-200 students each; "[e]ach school board shall identify appropriate private, nonprofit, nonsectarian agencies located in the school district or within 5 miles of the boundaries of the school district to meet the requirements...for the children at risk enrolled in the school district."	1993	
WY	WYO. STAT. ANN. § 21-4-305	V	district	District may provide alternative education services to students expelled for weapons possession on school property.		

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States Conducting Student Competency Testing for High School Graduation (Exit Exams)

August 1999
Source: ECS Information Clearinghouse

STANDARD DIPLOMA Students must pass a test with a minimum score before they're allowed to graduate.	Alabama	
	Alaska	(effective 01/2002)
	Arizona	
	California	(effective 2001-2002 school year – all 10th graders must take exam until they have passed all sections)
	Delaware	(exams in reading, writing, math – effective 2000)
	Florida	
	Georgia	
	Hawaii	
	Indiana	(unless principal certifies student has met "Core 40" requirements)
	Louisiana	
	Maryland	
	Massachusetts	(currently must pass proficiencies, but not a single exit exam; class of 2003 must have passed new Massachusetts Comprehensive Assessment System [MCAS], part of which is the state's 10th grade test)
	Minnesota	(tests in reading, math effective 2000; reading, math, writing – 2001)
	Mississippi	
	Nevada	
	New Jersey	
	New Mexico	
	New York	
	North Carolina	
	Ohio	
	South Carolina	
	Tennessee	
	Texas	
	Utah	(will test 10th graders no later than 2002-2003 school year)
	Virginia	
	Washington	(must pass test before being issued "certificate of mastery" that is required for graduation – effective 2000-2001)
ENDORSED DIPLOMAS	Massachusetts	options of Certificate of Occupational Proficiency (for outstanding voc/tech achievement) or Certificate of Mastery (score 4 or 5 on Advanced Placement tests, pass International Baccalaureate program or outstanding SAT II exams).
	Michigan	(all scores are recorded on transcripts, but those that meet criteria receive state endorsement)
	New York	(higher scores required)
	Tennessee	
HONORS DIPLOMAS	Ohio and Tennessee	(students must pass a more rigorous test.)
OTHER	Oklahoma	(results of four tests recorded on transcript but not required for diploma)
	Wisconsin (yes/no)	(test mandate effective 9-01-2002 but under debate. Legislative committee repealed, and even if retained by full legislature and/or vetoed, probable lack of funding.)

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Pledge of Allegiance

Information Clearinghouse
June 1999

Thirty-two states have laws mentioning school participation in reciting the Pledge of Allegiance.

Of these states, 20 require schools to include recitation of the pledge during the school day. These include:

California	Illinois	Mississippi	New York	South Carolina
Delaware	Kansas	Montana	North Dakota	Washington
Georgia	Maryland	New Jersey	Oregon	West Virginia
Idaho	Massachusetts	New Mexico	Rhode Island	Wisconsin

Eight states encourage schools to conduct the pledge but it is optional.

Alabama	New Hampshire	Utah
Kentucky	North Carolina	Virginia
Louisiana	Ohio	

Four states allow teachers or administrators to read or post the pledge: Arizona, Arkansas, Florida, Indiana.

Note: Nearly all of the states make the pledge optional for students with religious or other objections.

Recitation of Pledge of Allegiance

State	School		Individual	
	Required	Optional	Required	Optional
Alabama		X		X
California	X			X
Delaware	X			
Georgia	X			X
Idaho	X			
Illinois	X		X	
Kansas	X			
Kentucky		X		X
Louisiana		X		
Maryland	X		X	
Massachusetts	X		X	
Mississippi*	X		X*	
Montana	X		X	
New Hampshire		X		X
New Jersey	X		X	
New Mexico	X			
New York*	X			X
North Carolina		X		X
North Dakota	X			

State	School		Individual	
	Required	Optional	Required	Optional
Ohio		X		
Oregon*	X			X
Rhode Island	X			X
South Carolina	X			X
Utah		X		X
Virginia		X		
Washington	X			X
West Virginia	X			X
Wisconsin*	X			X

* Notes

Mississippi: At least once each month. Also, all students are required to be taught the Mississippi pledge.
New York: Commissioner must prepare a program for the schools of the state to use.
North Dakota: First grade through sixth.
Oregon: At least one day per week.
Wisconsin: At least one day per week in grades 1-8.

PART II

Details Regarding Patriotic Exercises Such as Display and Care of the Flag

KEY:

US	Specifies United States flag
State	Specifies State's flag
Con	Conscientious objector statement included
Rel	Religious exclusion stated
Care	Use and care instruction
Site	Specifies where placed
Time	Specifies time allotted

	Citation	Grade	US	State	Language	Con	Rel	Care	Site	Time	Note
AL	Code of Ala. Sec. 16-6B-2	All grades			Each character education plan shall include						
AL	Code of Ala. Sec. 16-43-5	K-12	X		Afford opportunity to voluntarily recite					X	
AR	Ark. Stat. Ann. Sec. 6-16-122	School bldg. or classroom			May allow to read or post						
AZ	A.R.S. Sec. 15-717	school bldg.			May read or post						
AZ	A.R.S. Sec. 15-506	School Bldg.	X		Display for students who may wish to pledge				X	X	Purchase flag, flagstaff and appurtenances, display upon or near the school building
CA	Cal Ed Code Sec. 52720	K-12			Shall be conducted patriotic exercises					X	
DE	14 Del. C. Sec. 4105	Public schools			Shall salute and pledge each morning					X	
FL	Fla. Stat. Sec. 233.0651	School bldg. or classroom			May read or post						
GA	O.C.G.A. Sec. 20-2-310	Public schools	X		Shall be afforded the opportunity to recite			X		X	State superintendent to prepare a program of flag instruction, use and display
ID	Idaho Code Sec. 33-1602	K - 12	X		Shall be given			X			Proper use, display, respect
IL	105 ILCS 5/27-3	All public schools	X		Shall be recited	X	X	X		X	Proper use and display
IN	Burns Ind. Code Ann. Sec. 20-10.1-4-2.5	School bldg. or classroom			May read or post						
KS	K.S.A. Sec.	Public			Daily recitation					X	

	Citation	Grade	US	State	Language	Con	Rel	Care	Site	Time	Note
	72-5308	schools									
KY	KRS Sec. 158.195	Public schools			May read or post						
KY	KRS Sec. 158.175	K - 12	X	X	Establish policy so students may participate	X		X		X	Pupils learn of our great freedoms, pledge and reading Lord's prayer daily to affirm history and freedom of religion
LA	La. R.S. 17:2115	Al grades			Opportunity for group recitation					X	
MA	Mass. Ann. Laws ch. 71 Sec. 69	Each school	X		Shall lead in group recitation	X			X	X	
MD	Md. Education Code Ann. Sec. 7-105	Public schools	X		Require all students and teachers	X			X	X	Includes physical stance required, act of disrespect is in violation of Act, love of freedom and democracy shown in the devotion of all true and patriotic Americans to their flag and country, shall be instilled in the hearts and minds of the youth of Amer
MS	Miss. Code Ann. Sec. 37-13-7	Public schools		X	To have all pupils, require the teachers					X	Note once per month only, also learn (not pledge to) MS flag
MT	Mont. Code Anno., Sec. 20-4-301		X		Recommends recitation	X					Teacher duty, refusal allowed
MT	Mont. Code Ann. Sec. 20-7-133	K - 12	X		Must be recited	X				X	Note daily K-6, weekly 7-12. Also district required to notify of right to not participate, effort to educate students in the American values of patriotism and love of country and to pass on the feelings of civic pride and commitment to America
NC	N.C. Gen. Stat. Sec. 115C-47	Classrooms	X	X	Encourage display and recitation	X				X	Time is "regular" basis, instruction on meaning and historical origins of the flag
ND	N.D. Cent. Code, Sec. 15-47-37	Elementary	X		Must precede each day's study					X	Also instruction regarding words and music of national anthem so they are able to recite or sing the words, recognize the music
NH	R.S.A. 194:15-a	K - 6			May authorize/shall be voluntary	X					Learn of our great freedoms
NJ	N.J. Stat. Sec. 18A:36-3	Each school	X		Require the pupils	X			X	X	Includes physical stance required, allows for foreign student exclusion
NM	N.M. Stat. Ann. Sec. 22-5-4.5	Each public school			Shall be recited					X	
NY	NY CLS Educ Sec. 802	Public schools	X		Provide for minimums			X		X	
OH	ORC Ann. 3313.602	School	X		Shall adopt a policy specifying whether or not pledge will be a part of the school's program						If established, local board also to specify time and manner of recitation
OR	ORS 339.875	School	X	X	Shall provide students with the opportunity	X		X			At least once each week of the school year; students who do not participate must maintain respectful silence
RI	R. I. Gen. Laws Sec. 16-20-4	K - 12	X		Shall prepare a printed program providing for uniform salute					X	Also the duty of the teachers to prepare a program of patriotic exercises for the proper observance of Grand Army Flag Day
RI	R. I. Gen. Laws Sec.	Pre-K-12			Shall commence the day	X				X	Any person not wishing to participate is exempt

	Citation	Grade	US	State	Language	Con	Rel	Care	Site	Time	Note
	16-22-11										
SC	S. C. Code Ann. Sec. 59-1-455	K - 12			Shall say the pledge	X				X	Exemption clause with expression of non-participation without disruption allowed.
UT	Utah Code Ann. Sec. 53A-13-101.4	Public schools			Shall include the appropriate study of [historical documents such as]						Periodic review of curricula to include study of documents including pledge and national anthem.
VA	Va. Code Ann. Sec. 22.1-202	One or more grades	X	X	Instruction shall be given		X	X			Instruction shall be given (history and principals of flag) but guidelines to be developed insuring compliance with constitutional restrictions and rights.
WA	Rev. Code Wash. (ARCW) Sec. 28A.230.140	Every public school	X		Shall cause	X	X		X	X	Specifies pledge/anthem at school assemblies and inter-school events
WI	Wis. Stat. Sec. 118.06	Public and private schools grades 1-8	X		Shall cause flag to be displayed, shall offer the pledge	X			X	X	At least one day per week
WV	W. Va. Code Sec. 18-5-15b	Public schools	X		Shall be commenced	X				X	

Source: Chris Pipho, ECS Information Clearinghouse and Julia Pirnack, graduate student, University of Colorado-Denver.

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State Examples of Policies Concerning Character Education

Information Clearinghouse
June 1999

Key

CE	Mentions character or character education
K/C	Kindness or courtesy
R	Respect – see detail for types noted
SD	Self-discipline, self-control
M	Morals or morality
T/H	Truth, honesty, integrity
J/F	Justice or fairness
TL	Tolerance or appreciation for other ethnicity or race

State	Citation	Grade Level	Strength	Developed by	Who Resp.	Notes	CE	K/C	R	SD	M	T/H	J/F	TL	Other
AL	ALA. CODE § 16-1-16	Special courses	Discretionary		Local boards of education	Allows local boards to assign teachers and classrooms as feasible and prescribe courses in citizenship, morals, or health to meet needs of special groups or individuals					X				
	ALA. CODE § 16-6B-2	All grades		State Board	Local boards	Mandated program development for ten minutes per day character education (plan of instruction)	X	X	X	X		X	X		Courage, perseverance, respect for the environment, cooperation, avoid idleness and profanity
	ALA. CODE § 16-1-1	All children	Goals for year 2000	Federal government		Adoption of goal 2000 federal guidelines									Disciplined learning environment conducive to learning, free of drugs and violence
AR	ARK. CODE ANN. § 6-16-127	Public schools		Leg. findings		Legislative finding that character [and citizenship] education must be strengthened	X								

State	Citation	Grade Level	Strength	Developed by	Who Resp.	Notes	CE	K/C	R	SD	M	T/H	J/F	TL	Other
	ARK. CODE ANN. § 6-16-128	K - 12	Mandates progress report to House/Senate Interim Committee on Ed.	Director, General Education Division, Dept. of Education	Local schools	To provide for a clearinghouse for information on nonsectarian practices in character [and citizenship] education to assist local schools, local curriculum option	X								
CA	CAL. EDUC. CODE §233	K - 12		State Board as long as actions do not result in a state mandate or increase in costs to state or local programs.	Local schools	Adopt policies and establish guidelines for teacher in-service training. To create school environment free from discriminatory attitudes and acts of hate violence.					X			X	Appreciation of diversity
	CAL. EDUC. CODE §233.5	General		Legislature	Teachers	Duty of teachers to impress [principles] upon the minds of students, create and foster an environment encouraging to pupils to realize full potential, free from discriminatory attitudes		X			X	X	X	X	Avoid idleness and profanity, humane treatment of living creatures, equality and human dignity
	CAL. EDUC. CODE §51810	9 - 12	Authorization to establish and maintain community service	Governing board	Governing board	Governing board authorized to establish and maintain community service classes without approval of State Dept of Education					X				
	CAL. EDUC. CODE §60200.5	General	Shall, where appropriate			Instructional material design, instructional materials adopted to impress upon the minds of students principles of morality and [traits]					X	X	X		
CT	CONN. GEN. STAT. §10-19	All grades, public	Shall be taught	State Board of Education		Substance abuse avoidance, health, character, citizenship teaching, textbooks to be used in conjunction with	X								
DC	D. C. CODE ANN. § 31-2853.1		After school programs	Board of Education		Reform plan includes submission of how to establish after-school programs; self-confidence, respect [self, leaders] through community service and other activities (art, physical fitness)			X	X					

State	Citation	Grade Level	Strength	Developed by	Who Resp.	Notes	CE	K/C	R	SD	M	T/H	J/F	TL	Other
FL	FLA. STAT. ANN. §233.061	For grad.	Shall teach efficiently and faithfully	School district	Teachers	Curriculum specified to teach [principles], courses required for graduation, ensure that students meet standards			X					X	
GA	GA. CODE ANN. § 20-2-145	K - 12	Mandates dev. of plan; implementation is discretionary	School board	Local boards	Respect (self, others, creator), compassion, diligence, generosity, punctuality, cleanliness, cheerfulness, school pride, patience, creativity, sportsmanship, loyalty, virtue, others shown	X	X	X	X		X	X	X	Courage, perseverance, environmental respect, cooperation
IN	IND. CODE ANN. § 20-10.1-4-4.5	Public school only	Mandatory curriculum			Defines good citizenship instruction as integrating respect (authority, property, parents, home, self, rights of others e.g. tolerance), responsibility (personal obligations, livelihood), doing one's personal best, possessing skills necessary to live in peace			X			X		X	
LA	LA. REV. STAT. ANN. §17.351	General	Shall prescribe and adopt	State Board of Elementary and Secondary Education		Textbooks and other materials of instruction promote an understanding of traditional standards of moral values					X				Appreciation for contributions and achievements of people of differing races
	LA. REV. STAT. ANN. §30.2502	General		Legislative findings		Comprehensive and balanced "environmental education initiative" resulting in environmentally literate citizens. Describes the "literate" citizen as one who effectively solve env. Problems including everything from private property, human health, knowledge			X						Care for other humans, ecology
MA	MASS. ANN. LAWS ch. 69, § 1D	General	Standards shall provide for instruction	Board of Education	Commissioner	Institute a process to develop programs designed to inculcate repeat for the cultural, ethnic and racial diversity of the commonwealth, community service-learning			X						Respect for cultural, racial and ethnic diversity

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State	Citation	Grade Level	Strength	Developed by	Who Resp.	Notes	CE	K/C	R	SD	M	T/H	J/F	TL	Other
MA	MASS. ANN. LAWS ch. 71, § 1	General	Shall	Board of Education		Subjects of instruction. Instruction and training in [subjects] and good behavior. To be taught by teachers of … good morals, promoting community and social responsibility. Violence prevention.		X				X			Good behavior. Case notes: instructors to impress upon minds principals of piety and justice and sacred regard for truth, lover of their country, humanity and universal benevolence
MT	MONT. CODE ANN. § 20-4-301	General	Teacher shall	Trustees	Trustees of the district	Duties of teacher, impress pupils with principles					X	X	X		Avoid idleness and profanity
NC	N.C. GEN. STAT. §115C-81	General	May require	Local boards of education may require	Local boards	Descriptions of each trait included, to develop a list of conflict resolution and mediation materials	X	X	X	X					Courage, integrity, perseverance, responsibility, responsible decision making, address cultural diversity, abstinence until marriage education
NY	N.Y. EDUC. § 801	Over age 8; public & private	Shall require that instruction be given	Boards of education and trustees of cities/dist.	Boards of Education, trustees	Study the inhumanity of genocide, slavery (including the freedom trail and underground railroad), holocaust, mass starvation in Ireland from 1845 to 1850					X				Moral and intellectual qualities, human rights, sanctity of life, dignity of individual, ethical and moral behavior, respect for diverse backgrounds.
	N.Y. EDUC. § 803	K-12 over age 8	Shall receive courses	Comm. of Education	Board of Education, trustees	Pertains to physical education courses of instruction; development of character, citizenship, physical fitness, health and worthy use of leisure	X								
PR	P.R. LAWS ANN. tit. 18, § 573	Public schools	Authorized to establish the teaching of	Secretary of Education	Sec. of Education	The teaching of morals and good habits and manners; extended $ 576 to organize lectures for parents (of pupils) and radio/press to whole people, moral and civic instruction of parents					X				
SC	S.C. CODE ANN. § 59-29-10	General	Shall see that subjects are taught	Country Board of Education and Board of Trustees		Required subjects					X				
	S.C. CODE ANN. § 59-141-10	All children	Goals for year 2000	Federal government		Disciplined environment conducive to learning									Morals and good behavior

State	Citation	Grade Level	Strength	Developed by	Who Resp.	Notes	CE	K/C	R	SD	M	T/H	J/F	TL	Other
SD	S.D CODIFIED LAWS § 13-33-6.1	All public, non-public K-12	Shall be given (unless governing body elects otherwise)		Governing board	Respect [self, contributions of ethnic groups/minorities, elderly, authority], sexual abstinence	X		X	X		X			
UT	UTAH CODE ANN §53A-13-101	General	Instruction shall stress	State Board of Education		Instruction shall address the importance of character habits, grades 8 - 12			X		X	X			Integrity, abstinence before marriage, temperance, obedience to law, respect for parents and home, dignity of honest labor
VA	VA CODE ANN §22.1-253.13.1	General	Shall seek to insure that	General Assembly, Board of Education	Local board	Seek to ensure that revised standards are consistent with development of personal qualities such as self-esteem, sociability, self-management (objectives statement only)				X		X			Integrity, self-esteem, sociability

This Clearinghouse Note was compiled by Julia Pirnack, graduate student, University of Colorado-Denver.

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State Policies on Citizenship Education

Information Clearinghouse
June 1999

Key: Citizenship Education

Cvc	Civics classes
FG	Federal government
UC	United States Constitution
D	Democracy or democratic ideals
FP	Federalist Papers
PW	Presidential speeches or writings
CA	Congressional acts or Congressional Record
CO	Court opinions
GH	General history
SH	State's history
SC	State's constitution
SG	State's government

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
AL	ALA. CODE §§16-44A-1, 16-44A-2, 16-44A-13, 16-44A-30	Finds that programs are vital to well-being of students	Southern Growth Policies Board	Commissions on the Future of the South authorized to propose and develop youth and leadership and citizenship education	General	Voluntary compact	Citizenship and leadership programs												
	ALA. CODE §16-1-1	Should ensure that all students	Education goals	Goals for year 2000: recognizes that fundamental changes must be made in this state's public education system, state responds to mandate of its citizenry	General	Every school													

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
AL	ALA. CODE §16-1-16	May prescribe special courses	Local board of education	May assign special teachers and classrooms, schedule courses in citizenship when administratively feasible	General	Discretionary	Individual tutoring, counseling or group instruction												
	ALA. CODE §16-1-24.2	Shall develop	Department of Education	Violence prevention	K - 12	Statewide	Law-related education, school safety, guidance counseling												
	ALA. CODE §16-6B-2	Four years required; must successfully pass to graduate	State Board	K - 8 history of U.S., "Education Accountability Plan" requires universities to ensure their programs adequate to prepare teachers	9 - 12	Public schools	Emancipation Proclamation	X		X	X	X				X			
	ALA. CODE §16-35-5	Shall be taught	State Board	Mandates instruction in subject areas, every school in the state, elementary												X	X		
AR	ARK. CODE ANN. § 6-15-1003	Academically competent students; High school proficiency exam, results recorded on transcripts	Department of Education	General subjects proficiency, social studies, civics				X											
	ARK. CODE ANN. § 6-16-122	May allow and encourage teacher or administrator to read or post	Local school boards	Superintendent to distribute copy of section to teachers and each school board member	General	Public schools	Organic documents from the pre-Colonial, Colonial, Revolutionary, Federalist, and Post-federalist eras			X	X	X	X	X	X			X	
	ARK. CODE ANN. § 6-16-127	Must be strengthened	Legislative findings	Finds and acknowledges that, while character and citizenship [are] primarily a parental responsibility, it must not remain isolated there	General	Public schools													

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
AR	ARK CODE ANN § 6-16-128	As a local option shall insure info dissemination	Director of General Education Division of the Dept	Provide a clearinghouse for information, provide a progress report to members of the House and Senate interim Committees on education and to local schools by August 1, 1998	K - 12	All school districts													
	ARK CODE ANN § 6-16-125	Shall ensure	Director of the General Education Division of the State Dept of Education	Arkansas history, course guidelines to be prepared and distributed by July 1, 1997, mandates distribution to house and senate interim committees on education													X		
AZ	ARIZ REV STAT § 15-154	May apply to participate	State Board of Education	Law-related education part of definition for proposed school safety program appropriations	General	Public schools	Safety, law												
	ARIZ REV STAT §15-712	May be integrated into	State Board of Education	Integration of substance abuse avoidance coursework into existing citizenship studies	6 - 12	Public schools	Substance abuse instruction												
	ARIZ REV STAT § 15-717	Teacher or admin may read or post		Instruction mandated in American history and heritage	General	Any school				X	X		X	X	X			X	
	ARIZ REV STAT § 15-710	Shall give instruction		Instruction mandated in listed areas for at least one year in common and high schools					X	X							X	X	
CA	CAL EDUC CODE § 32290	Shall establish a interagency school safety cadre	Education and law enforcement cadre	Interagency school safety cadre formed to encourage good citizenship and violence abatement	General	Schools	Violence abatement												

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State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
CA	CAL. EDUC CODE § 33540	Review and revise history-social science framework	State Board of Education and State Dept of Education	History, social-science course requirements, review to ensure	General	Curriculum development	Interaction with state and local governmental agencies and representatives to solve problems and to petition for changes in laws and procedures.									X			X
	CAL. EDUC CODE § 52352	So waived or dispensed with	State Board of Education	Allows Board to waive courses otherwise required by law in these grades, those of low4er essentiality in instilling in students traits and attributes necessary for good citizenship	7 - 9	Curriculum													
	CAL. EDUC CODE § 60200.5	Shall be designed	State Board of Education	Instructional materials (citizenship] designed and evaluated	General	Pupils	Instructional materials adopted shall designed and evaluated												
	CAL. EDUC. CODE § 51233.5	Each teacher shall endeavor	Teachers	Duty of teacher to impress upon minds principles of morality, patriotism, citizenship, foster an environment that encourages pupils to realize their full potential	General	Pupils													
	CAL. EDUC. CODE § 51225. 3	Must complete course to graduate (no student shall graduate…)	Governing board of the district	Curriculum requirements, one semester required				X	X							X			

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
CO	COLO. REV. STAT § 22-25-104.5	Strongly encouraged to implement	Colorado Department of Education	Creation of the Colorado law-related education program to promote responsible citizenship, creation of the law-related education advisory board (to be repealed July 1, 1999)	General	Public	Foundations and principals of constitutional democracy, role of law, organization and purpose of legal and political systems, opport. for responsible participation, alternative dispute resolution approach.												
	COLO. REV. STAT § 22-7-402	Acceptable performance shall mean acceptable performance level on an assessment	State Board of Education	Definition of acceptable performance level for high school graduation	High school	Students	Describes standard												
	COLO. REV. STAT § 22-1-104	Strongly encouraged to implement	Colorado Department of Education	Teaching of history, culture and civil government					X							X	X		X
CT	CONN. GEN STAT. § 10-18	Shall provide a program of...; no student shall be graduated without familiarity with subjects	State Board	Courses in U.S. history, government, duties and responsibilities of citizenship	General	All exempt from taxes	Government at national, state and local levels		X										X
	CONN. GEN. STAT. § 10-184	Shall bring them up in	Parents	Duties of parents is to cause [children] to be instructed in courses	Children	Duties of parents	Other standard subjects, town, state, and federal governments		X							X			X
	CONN. GEN. STAT. § 10-19	Shall be taught every academic year	Local and regional boards	Directs subject to be taught and teachers to be trained adequately to teach [health], [character], citizenship, substance abuse avoidance	All grades	Public schools	Character, personality development, understanding of substance abuse												

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
CT	CONN. GEN. STAT. § 10-16b	Shall include at least	Local or regional board	Prescribed courses of study, social studies including citizenship, government, history					X							X			
FL	FLA. STAT. ANN. § 233.061	Shall provide all courses; courses required for graduation	State Board	Using books and materials required, following the prescribed courses of study, and employing approved methods	General	Public schools	Republican form of gov't, interrelationships between federal, state, counties, municipalities, districts and special districts, Holocaust, history and contributions of African Americans, Hispanic and women's contributions		X	X	X	X				X	X		
	FLA. STAT. ANN. §233.0651	Allow to read or post documents	Department of Education	Excludes use out of context of proselytizing. If decision is superseded, a statement must be included that the law/decision is no longer the law of the land, Department of Education to distribute section to districts						X	X		X		X			X	
GA	GA. CODE ANN. § 20-2-142	Shall provide the following course offerings Not eligible to receive a diploma unless successfully completed	State Board of Education	Prescribed courses	K – 12	Receive state funds	Local county and municipal governments in high school, background, history, development of federal and state, American institutions and ideals		X	X						X	X	X	X

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
GA	GA CODE ANN § 20-2-145	Shall develop/ local boards may implement	State Board of Education	State board mandate to develop program of character education, discretionary at the local board level	K – 12	Students													
	GA CODE ANN § 20-2-31	Shall be appraised of right to register as elector		Military, selective service registration requirement, register as electors															
HI	HAW REV STAT § 302A-433	Programs shall be initiated, *in the context of adult education		A program in community education, civic duties, responsibilities and obligations to be developed including in-school children and youths	General	In school	Community education to facilitate understanding and enlightenment in civic duties												
IA	IOWA CODE §280.3	Exemption with proof of achievement in subjects	State Board of Education	Pertains to nonpublic schools requesting exemption from minimum Ed program, renewal of exemption upon proof of achievement in skill areas	General	Nonpublic schools	Reading, writing, grammar, spelling, arithmetic		X							X	X		
	IOWA CODE §256.37	Must demonstrate competency	Educational system	Policy findings by general assembly - graduation rate must increase, graduates must demonstrate competency, learned to use their minds well, knowledge and skills necessary to compete, prepared for responsible citizenship	All children	Graduating													
ID	IDAHO CODE §33-1602	Shall be given	State Board of Education	Instruction in Constitution						X									
IL	105 ILL COMP STAT 5/27-3	Shall be taught Must pass examination on topics		Patriotism and principals of representative government					X	X	X							X	
IN	IND CODE ANN § 20-10.1-4-4.5	Integrating into the current curriculum		Incorporating the desired qualities into existing curriculum -- provides the definition for good citizenship	General	Public schools	Respecting documents (not studying them necessarily)			X								X	

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
IN	IND CODE ANN. § 20-10.1-4-1	Shall provide instruction in	State Board of Education	Failure by principal r teacher constitutes misconduct in office. Not parochial schools. Instruction prescribed by state board. Elementary to include history, U.S. Constitution				X		X						X		X	
	IND CODE ANN. § 20-10.4-2.5	May allow a principal or teacher, censorship prohibited	School corporation	Library permanent collection must contain listed works, students cannot have grade lowered because they reference listed works. Other works include "Common Sense," Frederick Douglas' speech "What to a Slave is the Fourth of July," Chief Seattle's letter						X	X	X			X			X	
	IND CODE ANN. § 20-10.1-4-5	Shall include in its curriculum		Curriculum requirements					X	X						X	X	X	X
KY	KY REV STAT ANN. § 158.195	May allow any teacher or administrator	Local boards	Documents required							X		X	X	X			X	
	KY REV STAT ANN. § 158.175	May purchase or acquire and display copies of texts	Board of Education and each local school district	Voluntary recitation of Lord's Prayer along with Pledge of Allegiance to teach of our great freedoms	General	Public schools	Lord's prayer recitation, Gettysburg Address and other documents local board deem significant to the history of Kentucky and the United States				X								

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
LA	LA. REV. STAT. ANN. § 17:351	Shall prescribe and adopt [school books and materials]	State Board of Elementary and Secondary Education	To provide for prescription and adoption of school books and other materials of instruction	K - 12	Children of the state	Values of the people of the U.S. and LA, private property, freedom i.e constitutional liberties, democratic values									X	X		
	LA. REV. STAT. ANN. § 17:274.1	Shall give instruction Prerequisite to graduation	Board of Elementary and Secondary Education	Civic courses required for graduation				X											
	LA. REV. STAT. ANN. § 17:3996	Exempt except for the following laws If exam in public schools required applies to charter schools, must demonstrate competency	Charter Schools	Requirements of public schools as they pertain to requirements of charter schools - must teach listed documents	General	Charter schools		X		X	X	X							
	LA. REV. STAT. ANN. § 30:2502	Characteristics of citizens must include	Legislative findings	Environmental education initiative, processes etc.	General	Citizens	Decision making processes of governments, business and other social, political and economic institutions		X										
MA	MASS. ANN. LAWS ch. 69, §10A	Co-operative study and fuller use	Department of Advancement of Education for American Citizenship	Board of Education to appoint director and provide facilities and assistance to department	General	Public schools and teacher's colleges													
	MASS. ANN. LAWS ch. 69, § 1D	Shall provide for instruction in	Commissioner	Statewide education goals, authority for the board to direct the commissioner to institute a process to develop academic standards for core subjects	K - 12	Statewide	History of working people and the labor movement			X	X	X							

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
MA	MASS. ANN. LAWS ch. 71, § 2	Shall be taught as required subjects		Dictating the teaching of U.S. and local history, civics	K - 12	Public schools	Bill of Rights, local history and government	X		X	X					X	X	X	
	MASS. ANN. LAWS ch. 71, §1	Shall give instruction and training	Board of Education	Authority for curriculum	General	Public schools	Establishing a task force for the purpose of developing model curriculum for K - 12 in global education and international studies			X						X			
MI	MICH. STAT. ANN. §15.41166	Shall be given A diploma shall not be issued w/o successful completion of course		Instruction in civics, history and government. Eighth or ninth grade	8 or 9 - 12	Public and nonpublic	MI political subdivisions, local governments	X	X	X						X	X	X	
MN	MINN. STAT. § 120B.04	May require students to	School District	Discretionary requirement for "Lifework Development Plan," assisting students in realizing their role as citizens	pre K - 12	School district													
MO	MO. REV. STAT. §170.011	Shall be given Examination to graduate, pass an examination on the provisions and principals of U.S. and MO constitutions and American history and institutions	State Commissioner of Education	Courses of instruction, at least one semester in 7 - 12. Includes a program to recognize students demonstrating knowledge of principals of government, citizenship or service to community					X	X						X	X	X	X
MT	MONT. CODE ANN. §20-4-301	Instruct the pupils in	Teacher	Duties of teachers to impress the pupils with principles of [character] and patriotism. Also dignity of American citizenship	General	A teacher under contract with a district													

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
NC	N.C. GEN. STAT. § 115C-174.11	Shall adopt tests to assure graduates have skills	State Board of Education	Assessment instruments for graduates to ensure that graduates have necessary skills	To Graduate	Public and nonpublic													
	N.C. GEN. STAT. § 115C-81	Shall provide for the efficient teaching High school level curriculum based tests must include, demonstrate knowledge and understanding to receive, passing grade in all courses	Local boards of education	Basic education program authority. State Board of Ed required curriculum based test including questions relating to documents. State Department of Public Instruction and local boards to provide for teacher training.	High school and general	Public schools	Review of the contributions made by Americans of all races		X	X	X	X	X		X	X			
ND	N.D. CENT. CODE § 15-47-37	Shall ensure	Officer of school district	Instruction 7 - 12						X								X	
NH	N.H. REV. STAT. ANN. § 189.11	Shall be given		Regular courses of instruction in National and state history, government grades 8 - 12					X	X						X	X	X	X
	N.H. REV. STAT. ANN. § 186.13	Shall be used for (appropriations)	Legislature	Use of appropriations for Americanization of immigrants	Over 14 Years	Common school branches	Health, teacher instruction	X	X										
	N.H. REV. STAT. ANN. § 189.23	Directed to distribute	State Board of Education	Directs distribution of sate constitution and election laws to teachers, upper elementary and secondary				X								X			
NJ	N.J. STAT. ANN. § 18A:35-3	Shall adopt a course	Each board of education	Directs course of study in community civics and history	Elem.	Public schools	As related to community and national welfare	X									X		
	N.J. STAT. ANN. § 18A:35-1	Shall adopt a suitable course of study	Superintendent of Schools to Board of Education	Superintendent of schools in each district prepare and recommend two-year course of study during last 4 years of schooling												X	X		
NV	NEV. REV. STAT. ANN. § 389.030	Shall provide courses	School officers	Instructional requirement, American and Nevada history, at least one year												X	X		

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
NV	NEV. REV. STAT. ANN. § 389.050	Shall provide for courses	School officers	Instruction in citizenship	High school	In the state	Duties of citizens in the service of their country in time of peace or war												
NY	N.Y. EDUC. LAW § 3204	Shall provide for instruction		Instruction required. Provides for courses of study, par-time public day school also requires course of study to "enlarge civic intelligence"				X	X	X	X					X	X		
	N.Y. EDUC. LAW § 4805	Instruction shall include	Commissioner of Education	Courses of instruction for special schools	General	Special													
	N.Y. EDUC. LAW § 704	No textbook shall contain	Commissioner of Education	Review and complaint mechanism for textbooks in history, civics, economics and others	General	Public schools	Subject areas textbook's reviewed for character	X								X			
	N.Y. EDUC. LAW § 801	Shall require instruction	Regents of The University of the State of New York	Prescribes courses of instruction to be developed -- implemented by teachers	Over 8 yr. of age	Public and private	Inhumanity of genocide and slavery, human rights issues, mass starvation in Ireland. Study of documents (plus Bill of Rights) specified for 8th and higher grades			X	X							X	
	N.Y. EDUC. LAW § 803	Shall receive physical education	Regents of The University of the State of New York	Authority for physical education classes for development of [character] and citizenship	Over 8 yr. K - 12	Public and private	Contest of physical education												
OH	OHIO REV. CODE ANN. §§ 3301.0715 & 3301.0716	Shall implement	State Board of Education	Provides for implementing competency-based education program and outlines periodic assessment plan, also provides for the establishment of model programs for use by the districts - K - 12															

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
OH	OHIO REV. CODE ANN. § 3301.0710	Shall adopt rules establishing statewide program Proficiency tests to measure skill	State Board	Statewide proficiency test implementation at 4th, 6th, 10th, 12th grades, including citizenship, timing and applicability to years phase in	4 - 12	Statewide	Basic skills												
	OHIO REV. CODE ANN. § 3301.60	Shall prescribe a curriculum One unit of basic instruction required for graduation	Board of Education of each city	State Board of Education shall not require chartered schools to utilize and model curriculum adopted pursuant to section 3301.0716 of the Revised Code, one unit required					X							X	X		X
	OHIO REV. CODE ANN. § 3313.602	Shall ensure	Local school boards																
OK	OKLA. STAT. tit. 70, § 1210.252			Definition of economic education															
OR	OKLA. STAT. tit. 70, § 336.179	Shall determine the activities	State policy	Recognition program rewards for excellence; reduced admission to events, discounts, etc.	Elem. or Sec.	All school districts													
PA	24 PA. CONS. STAT. § 15-1511	Shall be taught		Subjects of instruction, history, civics, etc.	Elem.	Public and private	Loyalty to state and national government	X	X							X	X		X
	24 PA. CONS. STAT. § 16-1605	There shall be integrated in the social studies curriculum	Superintendent	At least 4 semesters in 7 - 12 of history and government	7 - 12	Public, private, parochial	Bill of Rights, principals and ideals of American republican representative form of government		X	X	X					X	X	X	X
RI	R.I. GEN. LAWS § 16-19-2	Shall be taught	Equal to public schools	Requirements for private or at-home instruction in U.S. and state history, principles of American government	General	Private, at-home			X							X	X		

State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
SC	S.C. CODE ANN. § 59-141-10	Shall formulate a plan	The Department of Education	Direction to formulate plan to meet national educational goals in SC, building upon the SC total Quality Education Framework for Change and SC Goals Panel Report including improvement plans and funding, promote responsible citizenship	All children	Students													
	S.C. CODE ANN. § 59-29-10	Shall be taught	County Board of Education, Board of Trustees	Required subjects; U.S. and state history, documents					X	X						X	X	X	X
SD	S.D. CODIFIED LAWS § 13-33-6.1	Shall be given unless governing body elected to do otherwise	Governing body of school	Character development instruction including citizenship, patriotism	K - 12	Public and Nonpublic	Other character development instruction												
TN	TENN. CODE ANN. § 49-6-1011	No teacher or administrator shall be prohibited from using, reading from or posting		Historical documents use in classrooms						X	X		X	X	X	X	X	X	
TX	TEX. EDUC. CODE ANN. § 28.002	Shall offer as a required curriculum Addressed in assessment instruments required under Subchapter B, Chapter 39	State Board of Education	Required curriculum	K - 12	Every school district	Economics, other subjects, foster course of instruction in the adoption of textbooks		X							X	X		X
UT	UTAH CODE ANN. § 53A-13-101	Shall be taught	State Board of Education	Provides for various curriculum, written materials, and teacher in-service training	8 - 12	General	Territorial and pre-territorial development of Utah, respect for parents and home, dignity of honest labor and other skills, habits, and qualities of character			X	X						X	X	

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State	Citation	Strength of Language	Program Designed by	Note	Grade Level	Public-Private Application	Other Curric.	Cvc	F G	U C	D	F P	P W	C A	C O	G H	S H	S C	S G
UT	UTAH CODE ANN. § 53A-13-101.4	Shall include study of	State board of Education and local boards	Study and posting of documents, periodic review to ensure effectiveness	General	Public	Organic documents from the pre-Colonial, Colonial, Revolutionary, Federalist, and Post-federalist eras		X	X	X		X	X	X				
VA	VA. CODE ANN. § 22.1-253.13:1	Shall develop and implement	Local school Boards	Authority to develop and implement a program of instruction	K - 12	Public schools	Other basic coursework, math, reading, writing, speaking etc.		X							X			
	VA. CODE ANN. § 22.1-200	Shall be taught		Subjects taught in elementary school include government, history of U.S. and state					X							X	X		
VT	VT. STAT. ANN. tit. 16, § 906	Shall be provided, minimum course of study		Minimum course of study, history, government in public, independent and home schooled					X							X	X		X
WV	W. VA. CODE § 18-2-9	Shall require regular course of instruction	School officials, each school	Required courses of study, fine, removal if work in schools, no reappointment for one-year if fail to abide by provisions, occur before 12th grade, public, private, parochial, denominational, U.S. government and history				X	X	X							X		X

This Clearinghouse Note compiled by Julia Pirnack, graduate student, University of Colorado-Denver.

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State Policies: Reasons for Requiring Citizenship Education

Information Clearinghouse
June 1999

Citizenship – Rationale/Reason Given

Rights	Rights or privileges
Duties	Duties, responsibilities or obligations
History	To learn or understand history or heritage
Democracy	To learn or understand democracy, democratic or republican form of government
Patriotism	To ensure patriotism is learned
Citizenship	To understand citizenship (usually with one of the above)

State	Citation	Rationale/Reason	Rights	Duties	History	Other	Democracy	Patriotism	Citizenship	Grade Level	Public/ Private Application
AL	ALA. CODE §§ 16-44A-1, 16-44A-2, 16-44A-13, 16-44A-30	Voluntary compact of public, non-profit, and private sectors to enhance and expand leadership and citizenship education, vital to civic well-being of American system				Econ., self-govt.			X	General	Voluntary compact
	ALA. CODE § 16-1-1	Be prepared for responsible citizenship	X	X					X	General	Every school
	ALA. CODE § 16-1-16	Meet the needs of special groups of pupils							X	General	Discretionary
	ALA. CODE § 16-1-24.2	Violence prevention program, law related education		X					X	K - 12	Statewide
	ALA. CODE § 16-6B-2	Students must become more literate, documents important to history and heritage			X	Heritage		X		9 - 12	Public schools
AR	ARK. CODE ANN. § 6-16-122	No content-based censorship			X	Heritage				General	Public schools
	ARK. CODE ANN. § 6-16-127	To prepare young people for positive dealings with the social order of the day							X	General	Public schools
	ARK. CODE ANN. § 6-16-128	To provide for information dissemination on nonsectarian practices in [character] and citizenship education programs within Arkansas and across the nation							X	K - 12	All school districts
AZ	ARIZ. REV. STAT. § 15-154	In conjunction with school safety program proposal, "law related education" means interactive education to equip children and youth with knowledge and skills pertaining to ... effective citizenship							X	General	Public schools
	ARIZ. REV. STAT. § 15-712	Instruction on the nature and harmful effect of substances may be integrated into existing ... [citizenship] studies							X	6 - 12	Public schools
	ARIZ. REV. STAT. § 15-717	Heritage			X					General	Any school

State	Citation	Rationale/Reason	Rights	Duties	History	Other	Democracy	Patriotism	Citizenship	Grade Level	Public/ Private Application
CA	CAL. EDUC. CODE § 32290	Improve attendance, encourage good citizenship, reduce violence, crime, substance abuse, gang activities, truancy rates							X	General	Schools
	CAL. EDUC. CODE §33540	To ensure sufficient attention to teaching pupils how to interact, in a practical manner, with government.								General	Curriculum devel
	CAL. EDUC. CODE §52352	To waive or dispense with otherwise mandatory courses of study - those of lower essentiality in connection with instilling in pupils the traits and attributes necessary for good citizenship							X	7 - 9	Curriculum
	CAL. EDUC. CODE §60200.5	Impress upon the minds of the pupils the principals of [listed] and self-government	X	X				X	X	General	Pupils
	CAL. EDUC. CODE §233.5	True comprehension of the … dignity of American citizenship and … principals of a free government	X	X		self-govt.		X	X	General	Pupils
CO	COLO.REV.STAT. § 22-25-104.5	Reduce the incidence of gang or other antisocial behavior and substance abuse by students	X	X					X	General	Public
	COLO.REV.STAT. § 22-7-402	The student has the subject matter knowledge and analytical skills that all high school graduates should have for democratic citizenship, responsible adulthood….							X	High school	Students
CT	CONN. GEN. STAT. § 10-18	Familiarity with subjects	X	X	X				X	General	All exempt from taxes
	CONN. GEN. STAT. § 10-184	Duties of parents, all parents and those who have the care of children shall bring them up in some lawful and honest employment and instruct them in [subjects].							X	Children	Duties of parents
	CONN. GEN. STAT. § 10-19	Substance abuse avoidance, instruction in citizenship							X	All grades	Public schools
FL	FLA. STAT. ANN. §233.061	Understanding of human behavior, ramifications of prejudice, nurturing and protecting democratic values and institutions								General	Public schools
GA	GA. CODE ANN. § 20-2-142	Study American institutions and ideals								K - 12	Receive state funds
	GA. CODE ANN. § 20-2-145	"Character curriculum" - focus on development of character traits marked						X	X	K - 12	Students
HI	HAW. REV. STAT. §302A-433	Supplement and enrich the educational program of in-school children "in the context of adult education	X	X						General	In school
IA	IOWA CODE § 280.3	Exemption for nonpublic when unable to meet the minimum education program standards (and if can show proficiency)								General	Nonpublic schools
	IOWA CODE § 256.37	Meet and exceed the technological, informational, and communications demands of our society, global economy	X	X					X	All children	Graduation
IN	IND. CODE ANN. § 20-10.1-4-4.5	Stresses the nature and importance of the following [characteristics] to define good citizenship								General	Public schools
KY	KY. REV. STAT. ANN. § 158.175 (Michie 1996)	Teaching our country's history and an affirmation of the freedom of religion			X	Freedom				General	Public schools

State	Citation	Rationale/Reason	Rights	Duties	History	Other	Democracy	Patriotism	Citizenship	Grade Level	Public/ Private Application
LA	LA REV.STAT ANN. §17:351	Promote and understanding of [topics]			X	Freedom, free enterprise., private property, const.l liberties				K - 12	Children of the state
	LA REV.STAT ANN §17:3996	Courses applicable to public schools that charter schools cannot be exempted from				Free Enterprise				General	Charter schools
	LA. REV.STAT ANN. §30:2502	Comprehensive and balance environmental education initiative to result in environmentally literate citizens. Environmental is used in broad terms, encompassing ecological, civic, math/technological, personal, attitudes, motivations		X		Economy				General	Citizens
MA	MASS. GEN. LAWS ANN. ch. 69, § 10A	More effective preparation for the duties of American citizenship							X	General	Public schools and teacher's colleges
	MASS. GEN. LAWS ANN. ch. 69, § 1D	Designed to inculcate respect fort the cultural, ethnic and racial diversity of the commonwealth.			X					K - 12	Statewide
	MASS. GEN. LAWS ANN. ch. 71, § 2	For the purpose of promoting civic service and a greater knowledge thereof, and of fitting the pupils, morally and intellectually, for the duties of citizenship		X	X				X	K - 12	Public schools
	MASS. GEN. LAWS ANN. ch. 71, § 1	Task force to develop a model curriculum		X		Global education and interntl studies			X	General	Public schools
MI	MICH. STAT. ANN. §15.41166	Form and function of governments	X	X	X				X	8 or 9 - 12	Public and nonpublic
MN	MINN. STAT. ANN. §120B.04	Record of all students' lifework development activities, assists students in choosing their school-based courses, ...career options, and realizing their role as citizens							X	pre-K - 12	School district
MT	MONT. CODE ANN. §20-4-301	Comprehend the rights, responsibilities and dignity of American Citizenship	X	X		Self-govt., love of country, civic pride		X	X	General	A teacher under contract with a district
NC	N.C. GEN. STAT. §115C-174.11	Possess the skills and knowledge necessary to function independently and successfully in assuming the responsibilities of citizenship		X					X	Graduates	Public and nonpublic
	N.C. GEN. STAT. 115C-81	Civic literacy				Free Enterprise			X	High school and general	Public schools
NH	N.H. REV. STAT. ANN. § 186:13	Abolition of illiteracy and Americanization of immigrants	X	X					X	Over 14 Years	Common school branches
NJ	N.J. STAT. ANN. §18A:35-3	Producing the highest type of patriotic citizenship	X	X				X	X	Elem.	Public schools
NV	NEV. REV. STAT. ANN. § 389.050	Inculcate a love of country and a disposition to serve the country effectively and loyally.		X				X	X	High school	in the state
NY	N.Y. EDUC. LAW § 4805	Prescribe course of instruction including responsibilities and privileges of citizenship	X	X					X	General	Special
	N.Y. EDUC. LAW § 704	No textbooks seditious in character, disloyal to the U.S. or favorable to the cause of a foreign country with which the U.S. may be a war allowed				Economy				General	Public schools

State	Citation	Rationale/Reason	Rights	Duties	History	Other	Democracy	Patriotism	Citizenship	Grade Level	Public/ Private Application
	N.Y. EDUC LAW § 801	Promote a spirit of patriotic and civic service and obligation and to foster in the children of the state moral and intellectual qualities which are essential in preparing to meet the obligations of citizenship in peace or in war						X	X	Over age 8	Public and private
	N.Y. EDUC. LAW § 803	Development of character, citizenship, physical fitness, health and the worthy use of leisure							X	Over age 8 to 12th grade	Public and private
OH	OHIO REV. CODE ANN. § 3301.0710	Ensuring that students who receive a diploma have proficiency in [subjects] and citizenship							X	4 - 12	Statewide
OR	OR. REV. STAT. § 336.179	Recognize excellence in education and citizenship							X	Elem. or Secondary	All school districts
PA	24 PA. CONS. STAT. § 15-1511	Principals and ideals of American republican representative form of government						X		Elem.	Public and private
	24 PA. CONS. STAT. § 16-1605	Instilling into every boy and girl their solemn duty and obligation to exercise intelligently their voting privilege and to understand the advantages of the American republican form of govt. as compared with various others	X			Heritage, economy				7 - 12	Public, private, parochial
PR	PR. LAWS ANN. tit. 18, § 573	Promote the civic and moral betterment of the whole people, use school buildings for different activities than merely educational purposes							X	General	Public schools
RI	R.I. GEN. LAWS § 16-19-2	[Subjects] to be taught to substantially the same extent as public schools								General	Private, at-home
SC	S.C. CODE ANN. § 59-141-10	Meet the National education goals	X	X					X	All children	Students
SD	S.D. CODIFIED LAWS § 13-33-6.1	Impress upon the minds of the students the importance of [characteristics].						X	X	K - 12	Public and Nonpublic
TX	TEX. EDUC. CODE ANN. § 28.002	To prepare thoughtful, active citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic values of our state and national heritage				Heritage, Economy, Free Enterprise		X		K - 12	Every school district
UT	UTAH CODE ANN. § 53A-13-101	Better prepare students for a richer, happier life				Free Enterprise			X	8 - 12	General
	UTAH CODE ANN. § 53A-13-101.4	Proper understanding of American history and government is essential to good citizenship			X				X	General	Public
VA	VA. CODE ANN. § 22.1-253.13.1	Program of instruction that emphasizes [coursework] necessary for responsible participation in American society			X				X	K - 12	Public schools

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CHARTER SCHOOL EQUITY

May 1999

Charter schools are generally defined as independent public schools operating under contract with a state or local district, although this definition may vary from state to state. They are generally semi-autonomous schools created by teachers, parents, community groups or private organizations that operate under a written charter that defines (1) organization and management of the school and (2) standards, assessments and curriculum. Many charter schools enjoy freedom from rules and regulations affecting other public schools, as along as they continue to meet the terms of their charters. Since 1991, over 1,200 charter schools have been created in the United States.

One of the primary concerns about charter schools is a possible "brain drain" effect on traditional public schools. Policymakers, educators and the general public have expressed worry that students with the greatest academic potential would be lured to charter schools while the traditional public school would be left to contend with students of greater economic and educational needs. In an attempt to address the concerns over the possible re-segregation of public education this "brain drain" could cause, some states have incorporated civil law components as part of the statutes covering charter schools.

LEGISLATION

Laws regarding charter schools vary from state to state and are defined as ranging from "strong" to "weak". The variables within the range are dictated by the amount of control given to the school district that houses the charter school and to the charter school itself. States in which school districts maintain the majority of the control regarding the charter contract are defined as having weak laws; states in which the school district maintains little control regarding the contract are defined as having strong laws.

The inclusion of an equity component appears to be unrelated to the strength or weakness of a state charter law. For example, states such as Arizona (listed below) that are described as strong supporters of charter schools still might include equity clauses as part of their charter school admission and enrollment practices. Examples of charter school admission provisions and their corresponding equity statutes follows:

STATE	EQUITY PROVISIONS-STATE CHARTER SCHOOL STATUTES
Alaska ALASKA STAT. § 14.03.265 (Michie)	Admission-no statute on equity specifically outlined in charter statute.

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STATE	EQUITY PROVISIONS-STATE CHARTER SCHOOL STATUTES
Arizona ARIZ. REV. STAT. ANN. § 15-184 (West 1998 supp.)	Charter schools; admission requirements. A. A charter school shall enroll all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. A charter school shall give enrollment preference to pupils returning to the charter school in the second or any subsequent year of its operation and to siblings of pupils already enrolled in the charter school. A charter school that is sponsored by a school district governing board shall give enrollment preference to eligible pupils who reside within the boundaries of the school district where the charter school is physically located. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall select pupils through an equitable selection process such as a lottery except that preference shall be given to siblings of a pupil selected through an equitable selection process such as a lottery.
Arkansas ARK. CODE. ANN. § 6-10-116 (Michie 1997 supp.)	Charter schools. (e)(1) Each year, the state board must review petitions for charter school status received from local schools. So long as a proposed charter school does not have a segregative effect on student assignments, the state board is directed to approve such petitions and to grant charter school status to local schools whose petitions, in the opinion of the state board: (A) Provide a plan for improvement at the school level for improving student learning and for meeting the national and state education goals;
California CAL. EDUCATION CODE §47605 (West 1999 supp.)	(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.
Connecticut CONN. GEN. STAT. ANN. §10-66bb (West 1999 supp.)	(c) The State Board of Education shall give preference to applicants for charter schools that will serve students who reside in a priority school district pursuant to section 10-266p or in a district in which seventy-five percent or more of the enrolled students are members of racial or ethnic minorities and to applicants for state charter schools that will be located at a work-site or that are institutions of higher education.
CONN. GEN. STAT. ANN. §10-15c (West 1999 supp.)	[This provision provision concerns all schools, including charter schools] Discrimination in public schools prohibited. School attendance by five-year-olds. The public schools shall be open to all children five years of age and over who reach age five on or before the first day of January of any school year, and each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, color, sex, religion or national origin; provided boards of education may, by vote at a meeting duly called, admit to any school children under five years of age.

STATE	EQUITY PROVISIONS-STATE CHARTER SCHOOL STATUTES
Delaware DEL. CODE ANN. TIT. 14 §506 (1998 supp.)	Restrictions.(4) Discriminate against any student in the admissions process because of race, creed, color, sex, handicap, or national origin, or because the student's school district of residence has a per student local expenditure lower than another student seeking admission; or (5) Be formed to circumvent a court-ordered desegregation plan.
Florida FLA. STAT. ANN. § 228.056 (West 1999 supp.)	(6) Eligible Students (a) A charter school shall be open to any student covered in an interdistrict agreement or residing in the school district in which the charter school is located. When a public school converts to charter status, enrollment preference shall be given to students who would have otherwise attended that public school. A charter school may give enrollment preference to a sibling of a student enrolled in the charter school or to the child of an employee of the charter school. (c) A charter school may limit the enrollment process only to target the following student populations: 4. Students residing within a reasonable distance of the charter school, as described in paragraph (13) (c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (9)(a) 8. or any federal provisions which require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.
Georgia GA. CODE ANN. § 20-2-2065 (1998 supp.) GA. CODE ANN. § 20-2-2066 (1998 supp.)	(a) A charter school shall be: (4) Subject to all federal, state, and local rules, regulations, and statutes relating to civil rights; insurance; the protection of the physical health and safety of school students, employees, and visitors; conflicting interest transactions; and the prevention of unlawful conduct (2) (b) A charter school shall not discriminate on any basis that would be illegal if used by a school system.
Illinois 105 ILL. COMP. STAT. ANN. 5/27A-4 (West 1998)	(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.
Kansas KAN. STAT. ANN. §72-1906	(d) In addition to satisfying a board of education with regard to the key elements contained in the charter, a charter school must comply with the following requirements in order to qualify for establishment or continuation: 2) pupils in attendance at the school must be reasonably reflective of the racial and socio-economic composition of the school district as a whole;
Massachusetts MASS. GEN. LAWS. ANN. Ch. 71, §89 (West 1996)	(l) Charter schools shall be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, or proficiency in the English language or a foreign language, and academic achievement. Charter schools may limit enrollment to specific grade levels and may structure curriculum around particular areas of focus such as mathematics, science, or the arts.

STATE	EQUITY PROVISIONS-STATE CHARTER SCHOOL STATUTES
Minnesota MINN. STAT. ANN. §124D.10 (b)	Subd.9 Admission requirements may limit admission to: (1) pupils within an age group or grade level; (2) people who are eligible to participate in the graduation incentives program under section 124D.68; or (3) residents of a specific geographic area where the percentage of the population of non-Caucasian people of that area is greater than the percentage of the non-Caucasian population in the congressional district in which the geographic area is located, and as long as the school reflects the racial and ethnic diversity of the specific area.
Missouri MO. ANN. STAT. §160.410 (West 1999 supp.)	1. A charter school shall enroll all pupils resident in the district in which it operates or eligible to attend a district's school under an urban voluntary transfer program who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission except that: 2. A charter school shall not limit admission based on race, ethnicity, national origin, disability, gender, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level.
New Hampshire N.H. REV. STAT. ANN. §194-B:9 (1998 supp.)	I. Except as provided for under RSA 194-B: 8, IV: (a) Charter schools may set maximum enrollment as they deem appropriate. (b) Charter schools may limit enrollment to specific grade or age levels, pupil needs, or areas of academic focus including, but not limited to, at-risk pupils, vocational education pupils, mathematics, science, the arts, history, or languages. (c)(1) Charter schools may select pupils on the basis of aptitude, academic achievement, or need, provided that such selection is directly related to the academic goals of the school.
New Jersey N.J. STAT. ANN. §18A:36A-8 (West 1999 supp.)	Enrollment preference- e. The admission policy of the charter school shall, to the maximum extent practicable, seek the enrollment of a cross-section of the community's school age population including racial and academic factors.
North Carolina N.C. GEN. STAT. §115C-238.29F (1998 supp.)	(g) Admission Requirements. --(5) A charter school shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability. Except as otherwise provided by law or the mission of the school as set out in the charter, the school shall not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, disability, race, creed, gender, national origin, religion, or ancestry. The charter school may give enrollment priority to siblings of currently enrolled students who were admitted to the charter school in a previous year and to children of the school's principal, teachers, and teacher assistants. In addition, and only for its first year of operation, the charter school may give enrollment priority to children of the initial members of the charter school's board of directors, so long as (i) these children are limited to no more than ten percent (10%) of the school's total enrollment.

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STATE	EQUITY PROVISIONS-STATE CHARTER SCHOOL STATUTES
Pennsylvania PA. STAT. ANN. §17-1723-A (West 1998 supp.)	Enrollment. (a) all resident children in this commonwealth qualify for admission to a charter school within the provisions of subsection (b). If more students apply to the charter school than the number of attendance slots available in the school, then students must be selected on a random basis from a pool of qualified applicants meeting the established eligibility criteria and submitting an application by the deadline established by the charter school, except that the charter school may give preference in enrollment to a child of a parent who has actively participated in the development of the charter school and to siblings of students presently enrolled in the charter school. First preference shall be given to students who reside in the district or districts. (b). 1.a charter school shall not discriminate in its admission policies or practices on the basis of intellectual ability, except as provided in paragraph (2), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or any other basis that would be illegal if used by a school district.
Rhode Island R.I. GEN. LAWS §16-77-4 (1996)	(b) (10) Describe enrollment procedures including the nondiscriminatory criteria for admission in accordance with applicable state and federal law, along with a program to encourage the enrollment of a diverse student population. The makeup of the charter public school must be reflective of the student population of the district, including but not limited to special education children, children at risk, children eligible for free or reduced cost lunch, and limited English proficient students. No charter shall be authorized for a school with a student population that does not include students eligible for free or reduced cost lunch, students with limited English proficiency, and special education students in a combined percentage which is at least equal to the combined percentage of those student populations enrolled in the school district as a whole;
South Carolina S.C. CODE ANN. §59-40-50 (Law Co-op, 1998 supp.)	As used in this chapter: (2) is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. Enrollment must be open to any child who resides within the school district;
Texas TEX. EDUC. CODE ANN. §12.111 (West 1996)	Each charter granted under this subchapter must: (6) prohibit discrimination in admission policy on the basis of sex, national origin, ethnicity, religion, disability, academic or athletic ability, or the district the child would otherwise attend in accordance with this code, although the charter may provide for the exclusion of a student who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37.

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STATE	EQUITY PROVISIONS-STATE CHARTER SCHOOL STATUTES
Wyoming WYO. STAT. ANN. §21-3-202 (Michie)	Charter school prohibitions. (vii) The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted; (d) In addition to any other requirement imposed under this article, a charter school shall be nonsectarian in its programs, admission policies, employment practices and all other operations, shall not charge tuition and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender or disability. Admission to a charter school shall not be determined according to the place of residence of the pupil or of his parent or guardian within this state, except that any existing public school converting partially or entirely to a charter school under his article shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school. Additionally, admission to a charter school shall not be determined solely on academic abilities or achievements, including minimum test scores or intelligence quotient scores.

Compiled by Felicia A. Pugh, graduate student, University of Colorado-Denver.

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Choice of Schools: State Actions

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Parental choice of schools is one of today's most discussed public education issues. "Choice" as a descriptor takes on several meanings. Narrow use of the word (e.g., assuming that choice equals only vouchers or open enrollment) often confuses the debate. In this document, the Education Commission of the States (ECS) uses "choice" as a broad descriptor covering many different ideas. What follows is a summary of the following aspects of school choice:

Charter schools:

Charter schools are independent public schools, formed by teachers, parents and/or community members. Such schools are freed from most state and local laws and/or policies in exchange for a written contract (or charter) which specifies certain results that must be met.

Choice (Open enrollment):

"Interdistrict" open enrollment programs allow choice of public schools across and within district boundaries.

"Intradistrict" open enrollment programs allow choice of public schools within district boundaries.

"Mandatory" open enrollment programs require districts within a state to participate in the program, given that space is available in the district.

"Voluntary" open enrollment programs allow districts to choose whether to participate, given that space is available in the district.

Tax credits:

A tax credit provides direct reductions to an individual's tax liability. For example, Jack owes $1,000 in income taxes. He is eligible, however, for a given state's $500 tax credit. He subtracts the $500 tax credit from the $1,000 tax liability, and now owes $500 in income taxes.

Tax deductions:

A tax deduction is a reduction in taxable income made prior to the calculation of tax liability. For instance, Jill has a taxable income of $100,000. She, however, is eligible for a given state's $1,500 tax deduction. She subtracts the $1,500 from her income of $100,000, and now has $98,500 in taxable income.

Postsecondary enrollment:

Postsecondary enrollment programs allow secondary school students to enroll in postsecondary courses and apply course credit at the secondary school, a postsecondary institution or both.

"Comprehensive" postsecondary enrollment programs allow students to enroll in postsecondary courses at minimal or no cost, permit course credit to be applied at both the high school and postsecondary institutions and contain few restrictions on eligible courses for student enrollment.

"Limited" postsecondary enrollment programs require students to pay tuition costs of postsecondary classes, restrict where course credit may be applied and contain stringent criteria on eligible courses for student enrollment.

Private vouchers:

A private voucher is a payment a private organization makes to a parent, or an institution on a parent's behalf, to be used for a child's education expenses.

Public vouchers:

A public voucher is a payment the government makes to a parent, or an institution on a parent's behalf, to be used for a child's education expenses.

State	Charter School Law[1]	Number of Charter Schools[2]	Open Enrollment Law[3]	Public Voucher Law[4]	Privately-Funded Voucher Program[5]	Income Tax Credit/ Income Tax Deduction[6]	Postsecondary Enrollment Options[7]
Alabama	-	-	X (Intradistrict/Voluntary)	-	X	-	-
Alaska	X	18.00	-	-	-	-	-
Arizona[8]	X	271.00	X (Interdistrict/Mandatory)	-	X	$500 and $200 (income tax credits)[9]	X (Limited)
Arkansas	X	0.00	X (Interdistrict/Mandatory)	-	X	-	X (Limited)
California	X	156.00	X (Interdistrict/Voluntary and Intradistrict/Mandatory)	-	X	-	-
Colorado	X	61.00	X (Interdistrict/Mandatory)		X		X (Comprehensive)
Connecticut	X	17.00	X (Interdistrict/Mandatory)	-	X	-	-
Delaware	X	10.00	X (Interdistrict/Mandatory)	-	-	-	-
District of Columbia	X	22.00	-	-	X	-	-
Florida	X	82.00	-	X	X[10]	-	X (Comprehensive)
Georgia	X	28.00	-	-	X	-	X (Comprehensive)
Hawaii	X	2.00	-	-	-	-	-
Idaho	X	1.00	X (Interdistrict/Mandatory)	-	-	-	-
Illinois	X	20.00	-	-	X	X[11]	-
Indiana	-	-	X (Interdistrict/Voluntary)[12]	-	X	-	X (Limited)
Iowa	-	-	X (Interdistrict/Mandatory)	-	-	$250 (income tax credit)	X[13]
Kansas	X	15.00	-	-	X	-	X (Limited)
Kentucky	-	-	-	-	-	-	-
Louisiana	X	10.00	X (Interdistrict/Voluntary)	-	X	-	X (Limited)
Maine[14]	-	-	-	-	-	-	X (Comprehensive)
Maryland	-	-	-	-	X	-	-
Massachusetts	X	37.00	X (Interdistrict/Voluntary and Intradistrict/Mandatory)[15]	-	X	-	X (Comprehensive)
Michigan	X	152.00	X (Intradistrict/Voluntary)	-	X	-	-
Minnesota	X	37.00	X (Interdistrict/Mandatory)	-	X	$1,000 - $2,000 (income tax credits)[16] $1,625 - $2,500 (income tax deductions)[17]	X (Comprehensive)
Mississippi	X	1.00	-	-	X	-	-
Missouri	X	0.00	X (Interdistrict/Voluntary)	-	X	-	-
Montana	-	-	-	-	-	-	-

State	Charter School Law[1]	Number of Charter Schools[2]	Open Enrollment Law[3]	Public Voucher Law[4]	Privately-Funded Voucher Program[5]	Income Tax Credit/ Income Tax Deduction[6]	Postsecondary Enrollment Options[7]
Nebraska	-	-	X (Interdistrict/Mandatory)	-	X	-	-
Nevada	X	1.00	-	-	-	-	X (Limited)
New Hampshire	X	1.00	X (Interdistrict/Voluntary)	-	-	-	-
New Jersey	X	39.00	X (Interdistrict/Voluntary)[18]	-	X	-	X (Comprehensive)
New Mexico	X	5.00	-	-	-	-	-
New York	X	0.00	X (Interdistrict/Voluntary)[19]	-	X	-	-
North Carolina	X	64.00	-	-	X	-	-
North Dakota	-	-	X (Interdistrict/Mandatory)	-	-	-	X (Limited)
Ohio	X	15.00	X (Interdistrict/Voluntary)	X[20]	X	-	X (Comprehensive)
Oklahoma	X	-	-	-	X	-	X (Limited)
Oregon	X	-	X (Interdistrict/Mandatory)	-	X	-	X (Comprehensive)
Pennsylvania	X	35.00	-	-	X	-	
Puerto Rico	X	NA[21]	X (Interdistrict/Mandatory)	-	X	$250 and $500 (income tax credits)[22]	-
Rhode Island	X	2.00	-	-	-	-	-
South Carolina	X	5.00	-	-	-	-	-
South Dakota	-	-	X (Interdistrict/Mandatory)	-	-	-	-
Tennessee	-	-	X (Interdistrict/Mandatory)	-	X	-	-
Texas	X	146.00	X (Interdistrict/Voluntary)	-	X	-	-
Utah	X	2.00	X (Interdistrict/Mandatory)	-	-	-	X (Comprehensive)
Vermont[23]	-	-	-	-	-	-	-
Virginia	X	0.00	-	-	-	-	-
Washington	-	-	X (Interdistrict/Mandatory)	-	X	-	X (Comprehensive)
West Virginia	-	-	-	-	-	-	-
Wisconsin	X	28.00	X (Interdistrict/Mandatory)	X[24]	X	-	X (Comprehensive)
Wyoming	X	0.00	-	-	-	-	-

NOTES

1 States with charter school laws as of June 1999.

2 Number of charter schools in operation or approved to open in each state as of September 15, 1998. The total number is 1,286. [Source: The Center For Education Reform]

3 States with open enrollment laws as of October 1998.

4 States with public voucher laws as of June 1999.

5 States with privately-funded voucher programs in operation as of October 1998. Many of these privately-funded voucher programs are administered by either the Children's Educational Opportunity (CEO) Foundation or the Children's Scholarship Fund [Source: The Heritage Foundation].

6 States that provide for income tax credits and/or income tax deductions for various education-related expenses as of June 1999.

7 States that allow secondary school students to enroll in postsecondary courses and apply course credit at the secondary school, a postsecondary institution or both as of October 1998.

8 Arizona law permits special education students and students designated as "unable to profit from public schools" to use state funding to attend private schools.

9 Arizona law allows residents to claim an income tax credit of $500 for their donations to charitable organizations providing scholarships to children to attend private or religious school. The law also allows residents to claim an income tax credit for up to $200 of activity fees at Arizona public schools. Arizona's tax credit law was challenged in court. In January 1999, the Arizona Supreme Court ruled that the law does not violate state and federal constitutional prohibitions against government aid to religion. Opponents of the program have appealed the decision to the U.S. Supreme Court.

10 During their 1999 session, Florida lawmakers passed the first statewide voucher program in the nation. Under the enacted legislation, each public school will receive a grade, from A to F. Top-performing and improving schools will receive additional state funding. In F-graded schools, students will be able to move to a higher-scoring public school or attend a private or parochial school with an opportunity scholarship worth at least $4,000. At first, the opportunity scholarships will be limited to students in no more than four schools. However, it is projected that these scholarships may be extended to students in up to 170 public schools within the next two years. The private and parochial schools that accept these students will not be able to collect additional tuition, and will be barred from requiring them to participate in religious instruction, prayer or worship. A court challenge is likely to occur.

11 In their 1999 session, Illinois lawmakers enacted legislation granting tax credits to parents of children in public, private or parochial schools. Under the law, parents may reduce their state income tax bill by 25 percent of whatever they spend for their children's tuition, books and lab fees. In order to be eligible for the tax credit, parents must spend at least $250, and the tax credit may not exceed $500 per family. A court challenge is likely to occur.

12 Indiana law allows a parent (or student after the age of 18) to request a transfer to another school district if the student may be better accommodated in the transferee school district. Both the sending and the receiving district must agree to the transfer.

13 Iowa law allows secondary school students to enroll in postsecondary classes at minimal or no cost, but the course credit may only be applied at the high school.

14 If no public school exists to serve secondary school students, Maine allows districts to send students to private schools and pay their tuition. In Maine, a U.S. District Court judge, the Supreme Judicial Court of Maine and the U.S. Court of Appeals for the 1st Circuit, in two different cases, ruled that the state's exclusion of parochial schools from the program is constitutional. The U.S. District Court judge issued his ruling in August 1998. The Maine Supreme Judicial Court issued its ruling in April 1999, and the U.S. Court of Appeals for the 1st Circuit upheld this ruling in May 1999. The plaintiffs in each Maine case may appeal these rulings to higher courts.

Rural areas in Maine that lack public schools provide aid for students to attend nonreligious private schools.

15 In addition to its voluntary interdistrict open enrollment program, Massachusetts also requires certain districts (e.g., Boston, Cambridge) to establish an intradistrict open enrollment program.

16 Minnesota law permits a refundable tax credit of up to $1,000 per student or $2,000 per family for families with incomes under $33,500. Eligible education expenses include textbooks, transportation, up to $200 of the cost of computer hardware and education software, summer camps and summer school. It does cover the cost of tuition.

17 Minnesota law permits families to take a tax deduction for school expenses, even if their children attend a private or parochial school. The tax deduction ranges from $1,625 per child in kindergarten through 6th grades to $2,500 per child in 7th through 12th grades. Deductible expenses include tuition, textbooks, transportation, academic summer camps, summer school and up to $200 of the cost of a personal computer and education software.

18 One line in New Jersey's 1996 school funding law mentions enrollment related to "a voluntary program of interdistrict public school choice approved by the commissioner." Interpretation of this line has been controversial and New Jersey has yet to implement a choice program.

19 New York law permits a voluntary interdistrict urban-suburban transfer program to reduce racial isolation.

20 In 1995, Ohio policymakers created a pilot scholarship/voucher program in Cleveland. As of the 1998-1999 school year, 3,678 students in grades K-5 were using vouchers of up to $2,500 for tuition at a private, public or religious school of their choice, although up to 4,000 are allowed to participate. Ohio's program was challenged in court. In May 1999, the Ohio Supreme Court ruled that the Cleveland program was unconstitutional, but only on a technical issue. According to the court, the program was improperly enacted by the legislature, when it approved the original voucher legislation as part of a 1,000-page general appropriations bill in 1995. According to the court, this action violated a provision in the state constitution that requires each bill to address only one subject. The court, however, also stated that the program did not breach the separation of church and state in either Ohio or federal law. As a result, Ohio policymakers passed legislation in June 1999 that reinstates the voucher program, and expands it to grade 6 in September 1999 and to grade 7 in September 2000. In this instance, the program was enacted as part of the state's education budget, as opposed to the state's general appropriations bill. A new lawsuit is likely to occur.

21 The number of charter schools in Puerto Rico was not available.

22 In 1995, Puerto Rico policymakers established the "Educational Foundation for the Free Selection of Schools, Inc," a nonprofit corporation which provides financial aid for elementary and high school students in public or private schools. The program includes the following provisions: the annual income of a student's family cannot exceed $18,000; the amount of education financial aid shall not exceed $1,500 per student; the funds necessary to provide the aid come from donations by individuals or private institutions; individual and institutional donors are eligible for a tax credit for their donations to the Educational Foundation; the amount of the credit cannot exceed $250 for individual taxpayers or $500 for corporations and partnerships; the amount of donations in excess of the credit can be used as a tax deduction; and participating schools must be licensed by the General Council of Education and have an admission policy free of discrimination.

23 Vermont students who reside in towns without public schools may attend public or approved independent private secondary schools selected by their parents and located either within or outside of Vermont. Their hometown school board must pay the full tuition charged by a public school, but private schools receive only an amount equal to the average tuition charged by the state's high school districts. If a selected private school charges more than this amount for tuition, the school district may pay the greater amount, but it is not required to do so. If the school district chooses to pay the lesser of the two amounts, parents must cover the difference. In 1996, the town of Chittenden, Vermont agreed to pay the tuition for about a dozen families who send their children to parochial school. This action was challenged in court. In June 1999, the Vermont Supreme Court ruled that Chittenden's efforts are unconstitutional. According to the court, Chittenden's efforts violate the clause of the Vermont constitution that prohibits "compelled support" of places of religious worship.

24 Wisconsin policymakers approved the Milwaukee Parental Choice Program in 1990, and last amended it in 1995. As of this fall, approximately 6,000 students are attending private and parochial schools through the program. The amount of the voucher is the lesser of two numbers: either a nonpublic school's operating costs (or tuition) or the state's per-pupil schools aid to Milwaukee Public School (MPS). In June 1998, the Wisconsin Supreme Court ruled that the program is constitutional. This decision was appealed to the U.S. Supreme Court. In November 1998, the U.S. Supreme Court declined to review the case, thus allowing the Wisconsin Supreme Court's ruling to stand.

This Clearinghouse Note was compiled by Todd Ziebarth, policy analyst, ECS, with financial support from the Joyce Foundation.

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CLASS SIZE

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STATE CLASS SIZE REDUCTION MEASURES

ECS Information Clearinghouse
Updated June 1999

The following table targets states that have attempted to limit the teacher/student ratio to 20 or fewer students per teacher. However, several "marginal" class size reduction measures that do not meet that ratio also are included.

State	Category (type)	Year Enacted	Description	Notes	Funding
AL	mandate	1997 amended 1998	State board resolution sets a timetable and limits. K-3, 18 students per teacher	Classes with aides reviewed as an exception by the state supt. of education	Through the 1995 Foundation Program Plan
CA	voluntary/ incentive Cal. Chap. 6.10, §52120	1996	Legislation authorized formation of smaller classes and provided funding for those schools choosing to do so. Initial targets: 20 in K-3; grade 4 added in 97-98 Additional $200 million for 8,000 additional classrooms, either through remodeling or use of portables. The appropriation for new facilities is a one-time provision, while class-size reduction funds are expected to be included annually in the state budget.	Legislation also mandated independent evaluation by 3-28-98. Approximately 20,000 new teachers were needed to accommodate the smaller class sizes, which prompted the governor to sign a bill relaxing teacher certification requirements. Raises concerns about districts hiring unqualified teachers. Other unintended consequences: a surge of teachers moving from "less-advantaged" to more desirable districts to fill newly created staff positions; a shortage of substitute teachers; supervision and training of non-certificated teachers, creating a problem for higher education teacher training programs	$1 billion 96-97 ($650 per student in smaller classes), $200 million for facilities $1.5 billion 97-98 ($800 per student)
FL	voluntary No law, just funding	1996	Targets K-3 classrooms with a priority to Kindergarten and 1st grade; 20 students per teacher or 20+ (no more than 30 students) if a full-time aide is provided		1997-98 funding: $100,000,000
IL	voluntary/ grants 105 Ill.Comp.Stat. 5/2-3.51	1997	Reading Improvement Block Grant Program authorized grants to improve reading instruction through several measures, one of which is to reduce class size K-3.		

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State	Category (type)	Year Enacted	Description	Notes	Funding
IN	pilot initially Ind. Code §21-1-29-1 statewide 88-89 Ind. Code §§1-1-30-1 to 1-1-30-9	1981 1988	"Prime Time" program 88-89: 18 students in Kindergarten, 1st grade 20 students, 2nd, 3rd	Teachers have reported improved student behavior, higher test scores and more efficient classrooms. However, program evaluations indicate a weak relationship between lower class size and student achievement, but significant improvement in teachers' morale and attitudes.	Through funding formula 1995: $77 million
IA	grants IOWA CODE §§ 256E.2 to 256E.6	1999	Early intervention block grant program with goals to provide resources necessary to reduce class sizes in basic skills to 17:1 for K-3. Overall aim is improvement in reading instruction.	Flexibility in how funds used (not limited to class size reduction), but districts must develop class size management plan with goals of 17:1 for grades K-3. Must integrate plan into required comprehensive school improvement plan. Dollars received must supplement, not supplant. Requires annual public reporting on reading proficiency levels and class size.	7-99 to 6-30-2000, $10m; 7-1-2000 to 6-30-2001, $20m; 7-1-2001 to 6-30-2003, $30m each yr. Allocation formula targets low income districts.
LA	mandate LA.Rev. Stat. Ann. §17:174	1986	K-3 classes not to exceed 20 unless authorized in writing by the state superintendent.	Students above the maximum not to be counted for funding purposes. No provision of this measure to take effect until funds appropriated specifically by the legislature.	unknown
ME	voluntary/grants ME. Rev.Stat. Ann.tit. 20, §4252	1989	Local units may elect to target class size within one or more grades, K-3. Recommendation of 15 to 1, with a maximum of 18 to 1.		competitive grant program
MD	Ann. Code of M.D. Sec. 5-212	1999	Requires districts to submit plans and reports describing how they will use additional funds for any/all of several areas; one option is reducing 1st and 2nd grade reading program to no more than 1:20; another is reducing math instruction – 7th grade- to no more than 1:20.	Funds appropriated if, in the opinion of the state superintendent, the plan meets conditions prescribed by the legislature.	
NC	voluntary N.C. Gen. Stat. §115C-301	1993 1995,1997	Measure targeted to K-2, with a 1:23 ratio. Pilot in Burke County Schools, 1991+	Funded 1:23 for each grade, but allowing administrative units to use dollars to reduce K-2 or to hire reading teachers within K-2 or otherwise reduce the ratio within kindergarten through 2nd.	foundation

State	Category (type)	Year Enacted	Description	Notes	Funding
NV	mandate Nev. Rev. Stat. §388.700	1989 revised 1993, 1995	Legislature limited class size in K-3 to 15 (core subjects) School districts and licensed personnel association(s) must develop plan to reduce class sizes in grades 1-3 within limits of available financial support.	Legislature appropriated $450,000 for professional development. A questionnaire revealed that principals, teachers and parents believe smaller class sizes are associated with new teaching practices, increased teacher-student interaction, positive student attitudes toward learning and improved grades. Districts reported that fewer special education referrals and less teacher absenteeism were associated with class-size reductions. More in-depth evaluations show student achievement levels remained the same when small classes were compared with larger classes (tested over a three-year period). In some districts, however, students in smaller classes (1-20) did significantly better in reading and moderately better in math than students in classes of 21 and over.	Special revenue fund for class-size reduction Nev. Rev. Stat. §388.730
OK	mandate 70 Okl. St. @ 18-113.1	1990	Targets grades K, 1-3, 4-6. No more than 20 students may be regularly assigned to a teacher. With the exception of certain conditions (these vary by grade levels above), fiscal and accreditation penalties apply for noncompliance.	If limitations exceeded after the first 9 weeks of the year, no fiscal penalty applies. Physical education, music, vocational not subject to limitation. If classrooms are not available and district meets certain guidelines (has maximum millage allowable or voted indebtedness within 5 prior years), then district not penalized.	Funding addressed through foundation program.
RI	voluntary/grants R.I. Gen. Laws §16-67-2	1987 (eff. 88-89); re-enacted 1996	Districts encouraged to reduce class size to no more than 15 in grades K-3 (The Literacy Program).		Educational Improvement block grants R.I. Gen. Laws §16-5-31 (3)
SC	mandate S.C. Code Ann. §59-20-40	1977	To qualify for funds, each district required to attain 21 to 1 average pupil-teacher ratio in basic skills of reading and mathematics (grades 1-3); districts may apply to the state board for waivers (phased in from 1979 to 1983)		Funding is addressed through foundation program (Kindergarten weighted 1.30; primary 1-3, 1.24)
	mandate S.C. Code Ann. § 59-139-10	1993	Early Childhood Development and Academic Assistance requires districts to design long-range plans which may include reduction in kndg. pupil-teacher ratio (the class size component here is voluntary, but the plan is mandatory)		
SD	voluntary/grants S.D. Codified Laws § 13-14-8.1	1993	Youth-at-risk funds (grants) offered as incentives for reducing class sizes in K-3 to 15 or less.		grants for up to 3 years

State	Category (type)	Year Enacted	Description	Notes	Funding
TN	pilot Tenn. Code Ann. §49-6-3501	1984	Demonstration centers (operated by local boards) established with class maximum enrollment 17. Two hundred teaching positions were funded by the department of education.	Purpose of the demonstration projects and centers was to study the effects of reduced pupil-teacher ratio on the achievement of students in public school.	All but 5% of costs paid by the department of education.
	mandate 1985 Tenn. Pub. Acts, Ch. 463, 1	1985	Every public school system required to have a policy that pupil-teacher ratios not exceed ratio prescribed. Within a building, the average of any grade level cannot exceed the average, although any individual class within the unit may exceed the average (but not the maximum). K-3 avg: 20 (maximum of 25).	First study began in 79 elementary schools in 1985. Greatest gains in inner-city small classes. Classes with teacher aides achieved slightly higher scores than regular classes, but differences were not statistically significant. (Project STAR - Student Teacher Achievement Ratio) Longitudinal study funded in 1990 (Lasting Benefits Study) -- see p. 6 for details.	Funding provided through the foundation program (weighting).
TX	mandate Tex. Educ. Code Ann. §25.112	1984	School district may not enroll more than 22 students in K-4 classes.	Numerous exceptions apply.	unknown
	§25.111	1995	Stipulates ratio of not less than one teacher to each 20 students in average daily attendance (K-4).		
UT	mandate Utah Code Ann. §53A-17a-124.5	1992	Through use of appropriations, districts must reduce average class size in grades K-4, with emphasis on K-2. Must use 50% of allocation to reduce class size in K-2, with emphasis on improving reading skills. If average class size is below 18 in K-2, may petition the state board for waiver to use its allocation for reduction in other grades.	20% of district's allocation may be used for capital facilities projects that will help to reduce class size.	Funding formula (weighted pupil units) allocated $46,311,678 in 1997 to be dispersed over four years (ending with fiscal year beginning July 1, 2000); 1996: $19,544,621; 1995: $18,632,768; 1994: $15,451,271; 1993: $11,053,098; 1992: $4,389,540

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State	Category (type)	Year Enacted	Description	Notes	Funding
VA	voluntary Va. Code Ann. §22.1-199.1	1996	Legislature established long-term goal of reducing pupil-teacher ratio and class size for K-3 in those schools with high or moderate concentrations of at-risk students.		State funding based on the incremental cost of providing the lower class sizes according to the greater of the division average per-pupil cost of all divisions or the actual division per-pupil cost. Local districts must provide matching funds based on the composite index of local ability to pay. State Board of Education to budget accordingly.
WI	voluntary/ grants 1995 Act 27 Chapter 118.43	1995	Student Achievement Guarantee in Education (SAGE); districts eligible to enter 5-year achievement guarantee contract with Dept. of Public Instr. on behalf of one school if minimum of 30% low-income students and no preschool-grade 5 grant on behalf of that school. (Also implements curricular and programmatic reqmts.)	Targets K, 1st grade in 98-99; adds grade 2 in 99-2000; adds grade 3 in 2001-2003. Class size reduction is one of several reqmts. for grants; schools must also extend hours of operation, provide rigorous curriculum, create staff development and accountability programs and pass annual review.	Finance formula funds reduction in class size to 1: 15 in each SAGE classroom.

Small Class Sizes:

Discussion, Rationale, Evidence

The debate over the effectiveness and efficiency of reducing class size remains unresolved. Nonetheless, several state legislatures are appropriating large sums of money to reduce K-3 class sizes to between 15 and 20 students.

Researchers keep the discussion alive as they argue about the merits and methodologies of various class-size studies. For state policymakers, reducing class size is a visible, concrete initiative that can be replicated throughout schools. Meanwhile, teachers and parents proclaim what they see as obvious -- fewer students in a class makes it easier to teach and to learn. In the end, state leaders must weigh the "political points" they earn from teachers and parents against the high cost of reducing class size and the education reforms left unfunded because of this policy.

The class-size reduction discussion intensified in 1990 when the Tennessee legislature funded a longitudinal study on smaller classes and student achievement, and then commissioned a follow-up study to determine the lasting benefits. The first study, known as Project STAR (Student Teacher Achievement Ratio) studied 7,000 students in 79 elementary schools. Researchers concluded that small class sizes (13-17 students) significantly increased student achievement scores, compared to regular classes of 22 to 25 and regular classes with a full-time teacher's aide. They also found that gains made in kindergarten were maintained through 3rd grade and the greatest gains were made in inner-city small classes.

Tennessee's second analysis, the Lasting Benefits Study, tracked students from grades 4-7 as they returned to normal size classes and concluded these students:

- Were less frequently retained in grade
- Succeeded in narrowing the achievement gap between children living in poverty and more affluent students, and between white and African-American students
- Had higher achievement "across the board" (in science, social studies, math, reading, spelling and study skills)
- Continued to outscore peers from larger classes; however, differences diminished somewhat as years went on

While the results from these two studies appear convincing, critics point out that 1,100 small-class size studies produced mixed findings. They also question whether Project STAR and the Lasting Benefits Study should be viewed as the definitive studies on which to develop and invest in class-size reduction policies.

Overall, the evidence is inconclusive as to whether small classes improve student achievement. The research has produced mixed and contradictory results, including:

- Students in early grades learn more and continue to have an edge over the rest of their peers when they return to normal classrooms. The impact is greatest and longer-lasting if they remain in small classes, however.
- The payoff in terms of student achievement gains does not translate into a cost-effective investment. Tutoring and direct instruction appear to be more cost-effective.
- Kindergarten through 3rd grade students benefit most, as do minority students in urban schools
- Class-size reduction cannot be isolated as the sole factor for increased student achievement
- Reading and math scores improve for some students in comparison to peers in regular-size classes
- Smaller classes force districts to hire significantly more teachers and create more classroom space
- Effectiveness depends on whether teachers adapt their teaching methods to take advantage of small classes and have more focused time with students
- Small classes result in fewer classroom distractions and more time for teachers to devote to each student

Characteristics of High-Quality Initiatives

Reducing class size is most effective when:

- Classes are reduced to between 15 and 19 students. (Little impact has been demonstrated in class sizes of 20 to 40 students.)
- Particular schools are targeted, especially those with low-achieving and low-income students
- Teachers are provided ongoing, high-quality professional development to make the most of the smaller class size conditions
- Teachers are well-qualified and a challenging curriculum is used for every student

Actions for Policymakers

If state policymakers decide to invest in class-size reduction, they may want to consider the following actions:

- Estimate the cost of funding the proposed class-size reduction plan, then:

  --Determine the state's commitment and any district contribution that will be necessary
  --Indicate whether state funding is permanent, temporary or contingent upon available revenue
  --Address the need for additional, qualified teachers and classroom space
  --Provide sufficient funds for the grades and schools covered under the initiative

- Target the program and dollars to low-income, low-achieving schools to allow significant class-size reduction in a few schools, rather than modest reductions statewide.
- Provide professional development funds so teachers can adapt their teaching methods for the smaller classes
- Evaluate the small class-size initiative on a regular basis to determine its benefits and cost-effectiveness
- Assist schools and districts to combine class-size reduction with other school-improvement plans for maximum impact

Comments to Policymakers

As more states adopt or consider legislation to reduce class size, the discussion should focus on the costs of creating smaller classes and whether the costs are justified by the returns. Moreover, if class size is believed to make a difference, then policymakers need better information about why small classes are beneficial to student achievement and how this information can be used for other reform efforts. Finally, state leaders should be prepared to deal with the unintended consequences if class size is reduced on a statewide scale; for example, the need for additional, qualified teachers and classroom space and the issue of teachers choosing more desirable districts.

Suggestions for Evaluation: California Example

The following was adapted from *Report to the State Board of Education: A Plan for the Evaluation of California's Class Size Reduction Initiative* 10/20/97.

QUESTIONS TO ASK ABOUT THE IMPACT OF THE CLASS SIZE REDUCTION PROGRAM

The Class Size Reduction program (CSR) consortium proposed a research plan to find information on many topics, broken into seven categories. The answers to some of these questions will come from data (test scores, for example), while many others will require observations, surveys, and conversations with policymakers, teachers and administrators, and parents.

Policymaking at the state, district, and school levels

- What are policymakers' goals and expectation for CSR? Their concerns?
- Do they have common expectations about the influence on student learning? Do these match or differ from teachers' or school boards' expectations.
- How do educational policies, regulations, and labor agreements help or hinder implementation?

Resource allocation within and among schools

- What is the effect on districts' revenues and expenditures? On spending for school operations and facilities, across grades, for instructional support services and programs? On resources across primary and secondary schools and across district programs?
- How did schools find space for new classrooms? If there were tradeoffs, what were they and are they permanent?
- How does CSR money affect equity of funding among districts, schools, and groups of students given the different resources already available to districts?

Intersection with other education reforms

- What is the relationship between CSR and large categorical programs (Special Education, Title 1) and programs for English learners?
- Do district or school characteristics (high or low revenue, for example) affect implementation?

- Is CSR integrated with a district's master plan? Or existing reform efforts? What interaction, if any, will there be with new state curriculum standards?
- Does CSR intersect with other reform efforts, or is it a diversion?

Teacher quality, assignment, and training

- What is the impact of CSR on recruiting and assigning teachers? What is the influence of collective bargaining?
- What are the qualifications and experience of teachers in the smaller classes and in classes with limited-English or minority or special-needs students?
- What professional development and support do teachers get? Does it change according to their experience? Does it vary by district?
- What do teachers report about their satisfaction and attitudes as a consequence of CSR? How do these affect student learning?

Classroom practices

- How has CSR affected teaching practices?
- What methods of instruction are used for English language learners in CSR classes? Does instruction differ across districts, classrooms, or categories of students?
- How is the classroom atmosphere changed?
- What is the impact on personnel to support teachers?

Student outcomes

- Has achievement in reading and math improved? Has promotion, retention changed? What do the next grade teachers report?
- Have transitions into or out of special programs changed?
- What is the impact on students' attendance, behavior, completing homework?
- Are English language learners ready to read sooner?
- Do student outcomes vary according to school, teacher, classroom practices, or the characteristics of the student?
- Have changes in classroom practices affected student outcomes?

Parental involvement

- How have parents been involved in decisions about participation, allocation of resources and space, and pupil assignments?
- Are parents more directly involved with their child's teacher or in the classroom?
- Do they believe their children's education is improved? Is there a change in their satisfaction with teachers, the school, or the district? Do they think the total school program has improved?
- Have parent involvement programs grown or declined? Parent participation?

This last segment used with permission: EdSource, *Evaluating California's Class Size Reduction Program*, February 1998. To order the evaluation send $4 plus $1 shipping and handling to:

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JARGON WATCH III

ECS Information Clearinghouse, June 1999

Jargon phrase	*As observed in its [un]natural habitat...*
Educationists	"The only readers likely to accede to his editorializing are true-believing, whole-language **educationists**, who find themselves steadily losing ground as researchers realize how much damage has been done by the whole-language fad, or persons who have not read or who do not understand the literature."
Learning episode	"Thus, meaning has a great impact on whether information and skills will be learned and stored. If students have not found meaning by the end of a **learning episode**, there is little likelihood that much will be remembered."
Purpose-centered education	Ad for grant being offered states that project is "[t]o expand the consortium of public schools in ___ region using **purpose-centered education**..."
Information partnership	Topic in index of a publication's 1998 articles.
Pedagogy of place	"The '**pedagogy of place**' connects the intellectual work of students with hometown issues, nurturing their academic skills in a rich cultural and environmental context."
Sensory engagements	"Their classroom staples include cooperative learning, Socratic seminars, student-as-worker, nontraditional assessments, and a plethora of what _______ refers to as **sensory engagements**."
Educational mechanic and linear learning environment	**Educational mechanics**, like water, gravitate toward the path of least resistance. Their students are not emancipated to engage in the level of knowledge acquisition they will need for lifelong learning because their classrooms represent a **linear learning environment**."
Schooling disabled	"It may be that some children who are called 'learning disabled' are merely '**schooling disabled**.' "
Task-centered talking	"At appropriate intervals, students should be standing up, moving around, and discussing with each other what they are learning while learning it. **Task-centered talking** is critical to the memory process since it helps maintain focus while enhancing sense and meaning."
Sensitizing Concepts for Journey Analysis	Title of table in education research document
Post-Modern Philanthropy	Subject of article in education periodical
Academic Villages and Village Mission Statement	"Welcome to _________ **Academic Villages**, virtual communities connected by intellectual interest and the Internet. Through these [] you can access the latest resources, provocative conversation and --- to each of the villages (see each **village mission statement** to...)"
Bibliobasket	"Supplementing this annotated working bibliography is the Charter School Research...**Bibliobasket**, which provides links to may additional charter school-related documents."
Unpacking	"For teachers to learn more than mere imitation or basic survival, these professional development experiences must also be sufficiently distanced from the teacher's immediate concerns to be subject to careful scrutiny, **unpacking**, reconstruction, and analysis."

Jargon phrase	*As observed in its [un]natural habitat...*
Inquiry orientation to knowledge	"An **inquiry orientation to knowledge** provides an avenue for improving the quality and impact of professional development."
A discourse of answers	"But this is still **a discourse of answers**, the potential of which is restricted by a lack of critical discussion."
Continuous individual learning activity	"Current findings hold the promise of positive change if resources are made available. With students using computers, teachers take on the role of learning coach or facilitator, promoting a 'higher level of **continuous individual learning activity**' than in the ordinary classroom."
Peopleware	"The growing importance of '**peopleware**' versus hardware reveals a fundamental shift in school technology financing, say technology experts."
Communities of practice	"Finally these elements cannot be adequately cultivated without substantial professional discourse and engagement in **communities of practice**."
Artifacts of practice	"One forum of this type includes groups or sessions in which teachers look closely at **artifacts of practice**. The _______________ Writing Project, now the ___ Writing Project, is an example..."
Multimedia records of practice	"Some university-based teacher education programs are using videotapes and other technology. [Two universities'] faculty have been devising ways to use **multimedia records of practice** as the basis for study of teaching."
Teaching artifacts	"Teachers also feel they learn a great deal from developing a portfolio based on **teaching artifacts** (videotapes, lesson plans, student work) and reflections on their work."
Schools Interoperability Framework	"Called the '**Schools Interoperability Framework**,' [this set of technical standards] would establish common definitions and units of data in those applications."
Manifestation determinations	" '**Manifestation determinations**,' which ascertain whether the student's behavior is related to his or her disability, are required only for a suspension that results in change of placement."
Views-driven classroom	"The **views-driven classroom** regularly engages students in discussions of controversial issues. The teacher's job is to help the students, subtly or not, identify with and eventually adopt correct views."
Sharing pool	"The ______ Supreme Court has upheld one of the most controversial aspects of the state's school financial law, the '**sharing pool**.' "
Educational technologists	"And at _____school system, four '**educational technologists**' now work full-time to help teachers make use of the district's 1,500 computers.
Geography-based education	Button on state education website.
School-based teachers	"The assumption held by university-based instructors and learners and by **school-based teachers**, field supervisors, and learners is that knowledge is acquired in coursework and applied in practice."
School family	"_____ [head of group in urban district]…says the **school family** should take a hint from successful businesses and focus on developing 'continuous relationships and lifelong fans.' "
Aligned ambitions	"One characteristic of adolescent ambitions that we have focused on is whether these ambitions are aligned, that is, whether the teenager's chosen educational path matches the requirements of the occupation to which he or she aspires. Unfortunately, most adolescents do not have **aligned ambitions**, nor do their parents or high schools help in acquiring them."
Ambition paradox	"Unfortunately, this decision creates what we call an '**ambition paradox**'—students with high ambitions choosing an educational route with low odds of success."
Consistency management & cooperative discipline	Tenets of program which "tries to measure the climate in a school…first, [identifying] the school's needs from differing perspectives and, second, [ensuring] that everyone is on board."
Scaffolded Reading Experiences for Inclusive Classes	Title of study

Jargon phrase	*As observed in its [un]natural habitat...*
Activating background knowledge and pre-questioning	Steps advocated in an article on teaching children to read.
Equality clock	"At that time, a mysterious '**equality clock**' starts running, and the false expectation is established that every child—regardless of normal developmental differences, innate ability, prior learning experiences, socioeconomic and cultural experiences, and parenting—should be at the same point in learning and academic achievement by April of the 3rd, 5th, and 8th grade years."
Mediapocalyptic age	Source unknown
Referral Question Consultative Approach and Curriculum-Based Problem Solving	"A kid could have been in four different curricula in four different schools. If he was, he probably missed out on some important stuff. So don't put him in Special Education. Go to _____ (program name). Go to Curriculum-Based Measurement (CBM), Curriculum-Based Assessment (CBA), **Referral Question Consultative Approach** (RQC), and **Curriculum-Based Problem Solving**. Make a hypothesis as to what the problem is. Confirm and resolve it by teaching the kid."
Discipline-grounded, standards-based, curriculum-driven, interactive technologies	"The foundation of _________ is family involvement and increased learning through after school [sic] use of instructional video games, aligned with the school's curriculum, that teach critical targeted skills and strategies. _________ is centered around **discipline-grounded, standards-based, curriculum-driven, interactive technologies**."

Compiled by Jennifer Dounay, research associate, ECS.

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Determining the Cost of a Basic or Core Education

The Education Commission of the States, 1999

Over the years, state policy makers have struggled with the question of how much should be spent per student for education, or "what does an *adequate* education cost?" A clear, descriptive process does not exist for defining, measuring or funding an "adequate or "core" education. However, recent education reforms and court decisions have intensified the need for a useable model or procedure for determining the cost of a core education.

The emergence of high academic standards and a focus on student results are shifting the notion of adequacy from simply providing certain inputs (teacher/student ratio, library books, instruction minutes) to determining what resources are necessary for students to reach their academic potential. Another influential factor has been school finance court decisions that are prompting states and districts to identify what it takes to give students equal educational and employment opportunities.

Several states are reexamining the issue of adequacy in terms of "what is a core education and what does it cost?" -- both of which are difficult tasks. Additionally, policymakers are trying to identify what the state should pay for, what should be left to local school districts and what adjustments should be made for high-cost students and district conditions (i.e., high enrollment growth, isolation).

Some states are exploring ways to identify "ideal" spending ranges and efficient practices for certain activities (i.e., administrative, transportation, food services), and then providing incentives for districts to spend within this range. In addition, the state would provide districts with options for and encourage them to adopt more effective and efficient practices. One goal of this process is to save money on non-instruction services in order to direct more dollars to teaching and learning. While few procedures for determining these ideal spending ranges exist within education, other public service areas or the private sector might provide examples.

Recent State Activity

Illinois

As part of the Governor's Commission on School Funding, the Illinois State Board of Education was charged with developing a more appropriate base student funding level. The SBE identified "efficient" districts -- defined by high academic performance in comparison with other schools with students of similar socioeconomic background, and with below average per student spending. Using the Coopers & Lybrand's expenditure model, known as "In$ite," the Board examined these districts' spending patterns. The SBE recommended that the base funding level should include costs associated with: instruction; instructional support, technology, facility operation and maintenance; business services; and administration. The base funding level calculation excluded categorical programs and operation costs subsidized by other categorical funding sources. The SBE also suggested adjusting the foundation level for certain factors (i.e., poverty concentration) and by an inflation factor, but eliminated grade weighting within the formula. Additionally, the Board recommended that the base level should be reviewed every two years, and updated as needed. This proposal, along with other Commission recommendations, was not enacted by the Legislature in 1996. However, the education funding levels devised by the SBE served as the basis for school finance changes made during the 1997 legislative session in which the base funding level was raised by $100 to $4,325.

Maine

In 1997, the legislature directed the Maine State Board of Education to develop a plan for funding education based on "essential services and programs," which are tied directly to the state's student standards, Maine's *Learning Results*. A committee was appointed and charged to: 1) identify the school resources, financial and other, needed for all Maine students to achieve the *Learning Results* standards; 2) estimate the cost statewide of those essential services; 3) develop a system for holding schools accountable for student achievement of the *Learning Results*; and 4) describe a process for developing a transition plan for implementing the committee's recommendations.

The services identified as essential were categorized as follows: a) school personnel, b) supplies and equipment, c) resources for specialized student populations, d) specialized services, e) district services and f) school level adjustments. A financial model was developed that contains the amount of resources necessary for several sub-categories under each main category. The committee identified spending levels for grades K-5, 6-8 and 9-12, as well as costs for various adjustments. These funding levels would require an estimated increase of 10% over the amount spent in 1996-97, but the committee recommended a transition to these higher spending levels.

Massachusetts

A 1993 state Supreme Court ruling that declared the funding system unconstitutional on the basis of adequacy became the impetus to enact a new funding formula. The court borrowed language from the 1989 Kentucky court ruling, Rose *vs. Council for Better Education*, for purposes of defining the skills and competencies that an adequately education child should possess, including: oral and written communication skills; understanding of social and political systems and government processes; grounding in the arts, occupational training or preparation for advanced training in either academic or vocational fields. The new funding system uses a basic foundation level that is calculated for each school district every biennium. The computations are based on components of an adequate education including class size, professional staff and other staff. In the first year of the foundation program (1993-94) the average foundation level was $5,500.

Minnesota

A task force was formed in 1993 to define and estimate the costs of "core" instruction, support services and local discretionary services. The anticipated outcomes included:

1. reduce the number of school formulas to three (core instruction, support services and discretionary)
2. change the formulas from revenue-driven to cost-driven formulas
3. set a goal of a higher level of state aid for the core revenue
4. define and separate out a set of support services
5. encourage revenue to be directed to the individual building, instead of the district level

Additionally, the task force was to determine which services the state should pay for and at what funding level. Final figures were not produced for the three cost areas (core instruction, support services, local discretionary services) and the task force was eventually dissolved.

More recently, Minnesota has undertaken a study to cost-out their "graduation rule" in the areas of math, reading and writing composition. Students must pass exams in these areas to graduate from high school, and benchmark tests are given in grades 3, 5 and 8. Additionally, the state is identifying the cost impact of their "Profile of Learning Standards" (high academic standards).

Mississippi

As part of a new funding formula enacted in 1997, a task force of legislators and state education department officials adopted a new method to set a base student cost. The model identifies districts that are performing well and are spending around the average per student expenditure level. Districts that are anomalies in terms of wealth (high or low), tax rates, demographics and geography are then eliminated from the pool. The next round reviews the remaining districts' general spending categories (instruction, administration, plant maintenance, etc.). If a district's expenditure level for a particular category is unusually high or low, that data are not used in the overall analysis for that spending category. After the anomalies are weeded out, the spending category information is combined and used to calculate the base student cost. The legislature adopted the new approach for setting a base funding level and is phasing in the higher spending levels over a four-year period.

New Hampshire

A December 1997 State Supreme Court ruling declared the education funding system unconstitutional because it failed to provide an adequate education to all students in New Hampshire. Consequently, the legislature is charged with defining and funding an adequate education. The court referred to the 1989 Kentucky school finance Lawsuit, *Rose vs. Council for Better Education*, which outlined the skills and competencies that students should possess upon graduation. The court set an April 1, 1999 deadline for the state to present an acceptable plan. To date, none of the proposed plans have met with approval by the court, legislature or the Governor.

New Jersey

Governor Whitman and State Superintendent Klagholz decided to take a different approach to solving the state's ongoing finance equity problem by identifying student core content standards and determining the associated costs. The Governor identified a base number of $7,200 per student. The legislature enacted the plan in December 1996. However, a debate ensued as to whether this amount reflects a real or reliable process for attaching a dollar figure to students' opportunity to meet the standards. The plaintiffs immediately filed a lawsuit against the Governor's plan, indicating that New Jersey has yet to reach consensus on resolving their equity disputes (in 1990, the State Supreme Court ruled the funding system unconstitutional as it relates to 28 urban, "special needs" districts).

In May of 1997, the New Jersey Supreme Court ruled the new funding law unconstitutional, stating that sufficient funds were not provided to the special needs districts and the model used to determine the base cost was unacceptable. The court did support the use of core content standards, but required the state to more thoroughly study, identify, fund and implement programs that address the needs of urban students. Additionally, the department of education must ensure districts are spending their money efficiently.

Ohio

A 1997 state Supreme Court decision which ruled the school funding system unconstitutional prompted law makers to reexamine how Ohio sets their base funding level. The court ruling stated that the "formula amount" has no real relationship to what it actually costs to educate a pupil, but is instead, determined by available state revenue. The court gave the legislature one year to "systematically overhaul" the funding formula.

Outside experts applied a similar approach to that used in Mississippi and recommended a new base level funding of $4,269. The legislature approved a 1999 funding level of $3,851, which would increase to $4,063 by the year 2002. In February of 1999, a lower court rejected the state legislature's proposed plan for creating a more adequate funding system. The court did not necessarily disapprove of the approach used to establish the base-cost level, but questioned why the state set a lower funding level than was recommended. Among other criticisms, the court concluded that the state had not gone far enough to overhaul the funding system. The state appealed the lower court decision and cited several funding improvements.

Tennessee

In 1992, the state Supreme Court ruled the funding system unconstitutional and stated that the education system should provide at least "the opportunity to acquire general knowledge, develop the powers of reasoning and judgment, and generally prepare students intellectually for a mature life." State lawmakers enacted a new funding formula that is based on the cumulative cost of 42 educational "essentials" which are divided into two categories -- classroom (i.e., teachers, social workers, technology) and non-classroom components (i.e., school secretaries, maintenance and operations). The state is obligated to fund 75% of the classroom component costs and 50% of the non-classroom costs. The quantity of components required is a function of student enrollment (ADM) and costs are determined by the legislature based on state averages.

Wyoming

A 1995 Wyoming Supreme Court decision that ruled the funding system unconstitutional required state leaders to define a basic education ("the education basket") and then cost-out these services and programs. A legislative committee determined that "the basket" consists of current programs and services, with the addition of smaller classes in K-3, state accreditation standards (a common core of student knowledge and skills and teacher salary benchmarks) and a statewide student assessment system.

A consulting firm completed a study of how much is spent on education, and the cost of the "education basket" programs and services. They also developed a Cost-Based Block Grant model that established per-pupil funding levels by calculating the cost of instructional and operating components for "prototype" elementary, middle and high schools. The components include personnel salaries; supplies, materials and equipment; and specialized services (i.e., transportation). Adjustments are made for special needs students and district characteristics (i.e., small and isolated). The state approved the approach, but set a lower funding level than was recommended by the consultants.

For additional information contact Mary Fulton, Policy Analyst, at 303-299-3679.

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Versions of HOPE Scholarship

("HOPE-like" Scholarship Programs)

April 1999

A new movement toward performance based college tuition assistance is encouraging several states to establish state-funded merit scholarships. Increases in college cost, reductions in the share of public college revenues from state appropriations, changes in the type and sources of financial aid, concerns about improving preparation for college, and college graduation rates are some factors influencing the establishment of state-funded merit scholarship programs.

These new programs emphasize academic standards, rewarding student performance while encouraging high expectations throughout the state's education system. Modeled after Georgia's HOPE Scholarship program (1993), several states have enacted or are proposing state-funded financial incentives tied to student performance. Funded by the state lottery, Georgia's program provides a financial incentive for high school students to earn a "B" average, continue their education after high school and maintain a "B" average in college. Eligible students receive a scholarship that pays for tuition and fees and includes a book allowance.

While each state's program is different, some core characteristics include:

- ✓ earning a "B" average in high school and maintaining a "B" average in college to renew
- ✓ the amount of the award not based on the family's ability to pay for college
- ✓ applicable for in-state institutions only
- ✓ intended to help middle income families

NOTE: Nationally recognized and/or federal merit-based scholarships are not included.

State by State

Florida – *FLA. STAT. ANN § 240.40201*

Florida Bright Futures Scholarship Program is a lottery-funded scholarship program to reward any Florida high school graduate who:

(a) Completes a program of at least 24 credits in advanced-level studies as prescribed by the State Board of Education.

(b) Obtains at least the equivalent of an unweighted grade point average of 3.0 on a 4.0 scale for all courses taken for which high school credit.

(c) Achieves a score of 1180 on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the America College Testing Program from an equivalent program.

(d) Completes a program of community service work, as approved by the district school board or the administrators of a nonpublic school, which shall include a minimum of 75 hours of service work and require the student to identify a social problem that interests him or her, develop a plan for his or her personal involvement in addressing the problem, and through papers or other presentations, evaluate and reflect upon his or her experience.

And, who enrolls in an eligibly Florida public or private postsecondary education institution within 3 years of graduation from high school.

[Academic: tuition, fees and book allowance. – 3.5 GPA in college preparatory courses; maintain a 3.0 GPA in college to renew.]

[Gold Seal Vocational: 75 percent of tuition and fees. – 3.0 overall and 3.5 GPA in vocational courses; maintain a 2.75 GPA in post-secondary courses to renew.]

[Merit: 75 percent of tuition and fees. – 3.0 GPA in college preparatory courses; maintain a 2.75 GPA in college to renew.]

Georgia – *GA. CODE ANN. § 20-3-519.2*

Georgia HOPE Scholarship Program provides public college tuition, fees, and book allowance for all Georgia high school graduates including home study program graduates and GEDs, with "B" average in high school and cumulative "B" average in college-level courses. Also available to Georgia residents at in-state private institutions, who receive up to $3,000 per year; other amounts apply to technical schools.

3.0 GPA in high school for college preparatory curriculum and 3.2 GPA for other curricula; maintain 3.0 GPA in college to renew. Beginning in 2000 high school GPA in core courses will determine eligibility.

Funded by approximately $200 million per year in state lottery revenues.

Kentucky – *KY. REV. STAT. ANN. § 164.2*

Commonwealth Merit Scholarships are based upon an established base scholarship amount and an eligible student's grade point average between 2.5 and 4.0. Straight-A high school students with good college entrance test scores (an ACT score of at least 15) will be awarded a scholarship of $2,500. A supplemental award is based on the eligible student's highest ACT score attained by the date of graduation from high school. There is established in the State Treasury a permanent and perpetual fund to be known as the "Wallace G. Wilkinson Commonwealth Merit Scholarship Trust Fund."

Louisiana – *LA. REV. STAT. ANN. § 17: 3048.1*

Louisiana Tuition Opportunity Program for Students awards: tuition at public colleges. Eligibility criteria includes 2.5 GPA from high school and ACT score at or above state average. Students must maintain 2.3 GPA in their first year and 2.5 GPA there after to renew.

Maryland – *MD. CODE ANN., EDUC. § 18-1901*

Maryland HOPE Scholarships provides the cost of tuition and mandatory fees for a full-time undergraduate not to exceed the equivalent expense for a full-time undergraduate in-state student at the University of Maryland at College Park and a $200 book allowance. Each recipient must have a cumulative grade point average of at least 3.0 on 4.0 scale or its equivalent in core curriculum courses as calculated and indicated on the high school transcript after the first semester of the senior year from a high school in this state. Must be a resident of the state and begin college within 1 year of completing high school, maintaining full-time student status. In addition, the total family annual income must be below $60,000.

Michigan – *1999 Mich. Pub. Acts 94*

Michigan Merit Award Scholarship Act establishes a trust fund partially based on tobacco settlement revenues to support administration of the scholarships. Students meeting requirements are eligible for $2,500 for use at approved in-state institutions or $1,000 for those outside the state. Students must have graduated or received a GED and achieved certain results in reading, mathematics and science or comparable results on a nationally recognized college entrance exam or job skills assessment. Additional awards of between $250 and $500 available to students enrolled in grade 7 in or after the 1999-2000 school year who meet qualifying results in reading, writing, mathematics and science. After January 1, 2000, the board must approve any assessment before it is administered for that year. Home schooled students are eligible. Pupils who are initially ineligible may take a subsequent assessment. Students who previously received $1,000 Michigan merit award scholarship and who qualify are eligible for an additional $1,500 scholarship.

Mississippi – *MISS. CODE ANN. § 37-157-1*

Merit Scholarship Award Program will provide full tuition at state colleges/universities for recent Mississippi high school graduates with 2.5 GPA and minimum ACT score of 20. Actual residence in Mississippi during the 24 months immediately preceding university enrollment is required. Total family income must be less than $30,000 per year.

Missouri – *MO. ANN. STAT. § 173.250*

Higher Education Academic Scholarship Program provides scholarship for Missouri citizens to attend a Missouri college or university of their choice.

A student shall be eligible for initial or renewed academic scholarship if he or she is in compliance with the eligibility requirements set forth in section *173-215* excluding the requirement of financial need and undergraduate status, and in addition meets the following requirements:

(1) Initial academic scholarships shall be offered in the academic year immediately following graduation from high school to Missouri high school seniors whose composite scores on the American College Testing Program (ACT) or the Scholastic Aptitude Test

(SAT) of the College Board are in the top three percent of all Missouri student staking those test during the school year in which the scholarship recipients graduate from high school. In the freshman year of college, scholarship recipients are required to maintain status as a full-time student;

(2) Academic scholarships are renewable if the recipient remains in compliance with the applicable provisions of section 173-215 and the recipient makes satisfactory academic degree progress as a full-time student.

South Carolina – *S.C. CODE ANN. § 59-149-10*

Legislative Incentives for Future Excellence (LIFE) Scholarships cover the cost of attendance up to a maximum of $2,000 a year to eligible resident students attending four-year public or independent institutions, and to cover the cost of attendance up to a maximum of $1,000 a year to eligible resident students attending two-year public or independent institutions. High school GPA of 3.0 and SAT score of 1000 (or equivalent) is required and must maintain 3.0 GPA and complete 30 credit hours each year in college to renew.

Other state initiated merit-based scholarships

The following scholarship programs have greater limitations, straying further away from Georgia's HOPE Scholarship Program model. For example, some have income restrictions, some are limited to specific disciplines, some offer tax credit rather than scholarships, some are limited in duration, etc.

Illinois - *110 ILL. COMP. STAT. 947/30*

Merit recognition scholarship program awards students from any approved high school located in state whose 7th semester cumulative high school grade point average is at or above the 95th percentile of his or her high school class, or a student from any non-recognized high school whose cumulative score on the ACT is at least 7 points above the statewide average cumulative ACT score as determined by the State Board of Education, and who by reason thereof is entitled to apply for scholarship.

Maryland - – *MD. CODE ANN., EDUC. § 18-1102*

Distinguished Scholar Program

(a) The Administration shall annually select the 350 secondary school students who have the greatest potential for academic success in higher education as determined by criteria established by the Administration and offer a scholarship to each of these student to be used at any Maryland post secondary institution of the student's choice, if the student meets the following qualifications:

(1) Qualifies academically as follows:

(i) Has a secondary school transcript indicating an overall academic grade point average of at least 3.7 on a 4.0 scale or its equivalent grade point average;

(ii) Is a finalist of the National Merit Scholarship Program or the Achievement Scholarship Program administered by the National Merit Scholarship Corporation; or

(iii) Has a superior creative talent or skill in art, music, dance, or the theater, as determined by an audition or portfolio review process established by the Administration;

(2) Has matriculated at a postsecondary educational institution in the State; and

(3) Qualifies as a Maryland resident.

(b) Superior academic achievers.

(1) At least 150 of the 350 awards shall be granted to superior academic achievers whose secondary school transcripts indicate after the first semester of the junior year an overall academic grade point average of at least 3.7 on a 4.0 scale, or its equivalent grade point average.

(2) At least 2 recipients who meet the qualifications specified under this section shall be selected from each county of the State.

Minnesota – *MINN. STAT. ANN. § 135A.30*

Minnesota academic excellence scholarship is created to reward students who have demonstrated outstanding ability, achievement, and potential in one of the following subjects: English/creative writing, fine arts, foreign language, math, science, or social science.

To be eligible to receive a scholarship under this section, a student must:

(1) graduate from a Minnesota public or nonpublic high school in the academic year in which the scholarships is awarded;

(2) successfully complete a college preparatory curriculum and demonstrate outstanding ability, achievement, and potential in one of the specified subjects.

(3) be admitted to enroll full time in a nonsectarian, baccalaureate degree-granting program at the University of Minnesota or at a Minnesota state university, or at a Minnesota private, baccalaureate degree-granting college or university; and

(4) pursue studies in the subject for which the award is made.

New York - *N.Y. EDUC. LAW § 605-a*

Scholarships for Academic Excellence began with the 1997-1998 academic year and thereafter, awarding scholarships to students completing their high school programs for attendance in approved programs. The academic merit criteria for awarding these scholarships will be determined by taking the weighted average of a student's score on Regents examinations taken by students prior to their senior year in all the following five subject areas: comprehensive English; global studies; U.S. history/government; level 3 math; and science, which shall consist of the weighted average of the combination of exams taken in chemistry, biology, earth science and physics.

North Dakota – *N.D. CENT. CODE § 15-62.2-03.2*

Student Financial Assistance and Scholars Program: Scholarships equaling the tuition charged at the scholar's eligible institution but may not exceed the amount charged for tuition at the state universities. Must maintain a 3.6 grade point average based upon a 4.0. Students entering the scholars program during or after the 1994 fall semester are eligible to reapply for scholarships for subsequent academic years provided they maintain a 3.5 grade point average. A state scholar may receive a scholarships for no more than eight semesters or twelve quarters of undergraduate study, or until the attainment of the student's baccalaureate degree, whichever comes first.

All eligible candidates (graduates of a high school in this state or a residents of this state for tuition purposes) whose assessment composite scores on the test of academic achievement administered by American College Testing program place the student in at least the 95th percentile of all students taking the test by November 1st of the year preceding January 1st of the year in which the student is applying for a scholarship, and who ranks in the upper 20th percentile of the student's high school class.

Ohio – *OHIO REV. CODE ANN. § 3333.21*

Ohio Board of Regents Academic Scholarship Program awards a total of one thousand new scholarships annually in the amount of $2,000 dollars per award. At least one such new scholarship shall be awarded annually to a student in each public high school and joint vocational school and each nonpublic high school.

To be eligible for the award of a scholarship, a student shall be a resident of Ohio and shall be enrolled as a full-time undergraduate student in an Ohio institutions of higher education.

The board shall award the scholarships on the basis of a formula designed by it to identify students with the highest capability for successful college study. The formula shall weight the factors of achievement, as measured by grade point average, and the factor of ability, as measured by performance on a competitive examination specified by the board.

South Carolina – *S.C. CODE ANN. § 59-39-180*

Superior Scholars for Today and Tomorrow (STAR) Scholarship: Established to reward students graduating from an accredited public or nonpublic high school of this State receiving a Superior Scholars for Today and Tomorrow diploma pursuant to Section 59-39-105, who score no less than a composite score of 1100 on the Scholastic Aptitude Test and who attend an accredited public or private institution of higher learning or technical college in this State. These students shall receive a scholarship of $500 to be used to pay for tuition and fees at any accredited higher education institution in South Carolina.

Sample 1999 state legislation that was not enacted is included below for your information.

Mississippi - HB 1581

"Helping Outstanding Pupils Educationally" or H.O.P.E. Scholarship Program provides free tuition at state institutions of higher learning. Grants of financial assistance to qualified resident high school graduates shall be applied towards tuition and other costs.

Vermont - *HB 662*

HOPE Scholarship Program will provide financial aid to 12 post-secondary students who are Vermont residents and who maintain at least a B average in secondary and post-secondary schools. Powerball game is established and dedicates the revenues to the HOPE Scholarship Fund.

California - *AB 2752*

21st Century Scholars Act offers full 2-year tuition scholarships at any public postsecondary academic institution within the state for any student who meets specified requirements, including, but not limited to, achieving a cumulative high school GPA of at least 3.0.

Connecticut - *HB 5487* Sections 10a-77, 99 & 105

Connecticut Scholarship Fund provides one-year tuition, fees and book allowance to "B" average high school graduates to attend state colleges and universities--provides scholarships to such student for the remaining year of attendance at such institutions if they maintained at least a "B" average the prior year. The amount of such scholarships is based on the annual income of the family of the student.

Indiana - *SB 315*

Indiana Honors Diploma Program for Higher Education awards persons domiciled in Indiana who graduate with an Indiana honors diploma and attend an institution of higher learning in Indian. Scholarship award is in an amount equal to 50% of the educational costs at public universities in Indiana, less an adjustment for any money awarded do the student under other state higher education award programs.

Iowa - *SB 2195*

Hope Scholarship Credit is a nonrefundable credit that reduces an individual's state income tax by 25% of the federal hope scholarship credit provided in section 25A of the Internal Revenue Code.

New Mexico - *HB 4370 Section 21-21J-8*

Legislative Endowment Scholarship provides merit-based scholarships to cover the cost of attendance up to specified limits to eligible resident students attending accredited public or independent two-year and four-year institutions of higher learning in this state and technical colleges.

Compiled by Cynthia C. Choi – graduate student, University of Colorado–Denver.

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State Constitutions and Public Education Governance

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Introduction

Almost every state constitution articulates the state's responsibilities for providing an education to its citizens. This clearinghouse note outlines and compares the provisions in each state's constitution that concern public education governance. *Governance* is defined as *who makes what decisions, and in what manner*. In public education, the *who* is everybody from state legislators to parents. The *what* covers everything from standards to professional development. The *in what manner* or *how* is everything from decisions made autonomously to decisions made within a framework established by others.

Summary

Most state constitutions contain at least one of the following provisions:

- Establishing and maintaining a free system of public schools open to all children of the state
- Financing schools (in varying degrees of detail)
- Separating church and state, often in at least one of the following two ways:
  1. Forbidding any public funds to be appropriated to or used for the support of any sectarian school
  2. Requiring public schools to be free from sectarian control
- Creating certain decisionmaking entities (e.g., state board of education, state superintendent of education, local board of education, local superintendent of education); although most state constitutions require at least some of these entities to be in place, they usually do not specify their qualifications, powers and duties

The following table shows which provisions are covered within each state constitution:

State	**Establish and Maintain**	**School Finance**	**Religion**	**State Board**	**State Superintendent**	**Local Board**	**Local Superintendent**
Alabama	X	X	X	X	X	X	X
Alaska	X	X	X				
Arizona	X	X	X	X	X		X
Arkansas	X	X	X				
California	X	X	X	X	X	X	X
Colorado	X	X	X	X	X	X	X
Connecticut	X	X	X				
Delaware	X	X	X				
Florida	X	X	X	X	X	X	X
Georgia	X	X	X	X	X	X	X
Hawaii	X	X	X	X	X		
Idaho	X	X	X	X	X		

State	Establish and Maintain	School Finance	Religion	State Board	State Superintendent	Local Board	Local Superintendent
Illinois	X	X	X	X	X		
Indiana	X	X	X		X		
Iowa		X	X				
Kansas	X	X	X	X	X	X	X
Kentucky	X	X	X				
Louisiana	X	X	X	X	X	X	X
Maine	X	X	X				
Maryland	X	X	X				
Massachusetts	X	X	X				
Michigan	X	X	X	X	X		
Minnesota	X	X	X				
Mississippi	X	X	X	X	X		X
Missouri	X	X	X	X	X		
Montana	X	X	X	X		X	
Nebraska	X	X	X	X	X		
Nevada	X	X	X		X		
New Hampshire	X	X	X				
New Jersey	X	X	X				
New Mexico	X	X	X	X	X	X	
New York	X	X	X				
North Carolina	X	X	X	X	X		
North Dakota	X	X	X				
Ohio	X	X	X	X	X	X	
Oklahoma	X	X	X	X	X		
Oregon	X	X	X		X		
Pennsylvania	X	X	X				
Rhode Island	X	X	X				
South Carolina	X	X	X	X	X		
South Dakota	X	X	X				
Tennessee	X	X	X				
Texas	X	X	X	X			
Utah	X	X	X	X	X		
Vermont	X	X	X				
Virginia	X	X	X	X	X	X	X
Washington	X	X	X				
West Virginia	X	X		X	X		X
Wisconsin	X	X	X		X		
Wyoming	X	X	X		X		

State-by-State Review

This section presents some of the details within each state constitution that relate to public education governance.

Alabama

- Requires the legislature to establish, organize and maintain a liberal system of public schools throughout the state for the benefit of the children of the state between the ages of seven and twenty-one years.
- Prohibits any money raised for the support of public schools to be appropriated to or used for the support of any sectarian or denominational school.
- Provides that no religion be established by law; that no preference be given by law to any religious sect, society, denomination, or mode of worship; and that no one be compelled by law to attend any place of worship, nor to pay any tithes, taxes, or other rate for building or repairing any place of worship, or for maintaining any minister or ministry.
- Forbids any more than four percent of all moneys raised or appropriated for the support of public schools to be used for the payment of teachers. Allows the legislature, by a vote of two-thirds of each house, to suspend this provision.
- Vests general supervision of the state's public schools in a state board of education. Charges the legislature with establishing the method of state board member election. Charges the state board with appointing the state superintendent of education, who shall be the chief state school officer.
- Allows the legislature to provide for the election of local board of education members in certain counties.
- Provides for the election of the superintendent of education in a certain county.

Alaska

- Requires the legislature to establish and maintain a system of public schools open to all children of the state.
- Prohibits any money to be paid from public funds for the direct benefit of any religious or other private educational institution.
- Requires that no law be made respecting an establishment of religion, or prohibiting the free exercise thereof.
- Requires that public schools be free from sectarian control.

Arizona

- Requires the legislature to provide for the establishment and maintenance of a general and uniform public school system, which includes kindergarten schools, common schools, high schools, normal schools, industrial schools and a university.
- Requires the legislature to provide for a system of common schools by which a free school is established and maintained in every school district for at least six months in each year and is open to all pupils between the ages of six and twenty-one years.
- Requires that public schools be free from sectarian instruction.
- Requires that no public money or property be appropriated for or applied to any religious worship, exercise, or instruction, or to the support of any religious establishment.
- Vests general conduct and supervision of the state's public schools in an appointed state board of education, a state superintendent of public instruction and county school superintendents.
- Establishes the composition and method of appointment of the state board.
- Requires that the state superintendent be a member, and secretary, of the state board.

Arkansas

- Requires the state to maintain a general, suitable and efficient system of free public schools.
- Forbids any money or property belonging to the public school fund, or to the state for the benefit of schools or universities, to be used for any other than for the respective purposes for which it belongs.
- Provides that no man can, of right, be compelled to attend, erect or support any place of worship; or to maintain any ministry against his consent. Requires that no preference ever be given, by law, to any religious establishment, denomination or mode of worship above any other.

California

- Requires the legislature to provide for a system of common schools by which a free school is kept up and supported in each district at least six months in every year.
- Prohibits any public money to ever be appropriated for the support of any sectarian or denominational school or any school not under the exclusive control of the officers of the public schools.
- Forbids any sectarian or denominational doctrine to be taught, or instruction to be permitted (directly or indirectly), in any common schools.
- Provides that free exercise and enjoyment of religion without discrimination or preference are guaranteed. Prohibits the legislature from making any laws respecting an establishment of religion.
- Charges the legislature with providing for the appointment or election of a state board of education and a board of education for each county or for the election of a joint county board of education in two or more counties.
- Creates an elected state superintendent of public instruction. Establishes the method of election and the terms of office for the state superintendent of public instruction.
- Charges the state board of education, on nomination from the superintendent, with appointing one deputy superintendent and three associate superintendents.
- Authorizes the legislature to provide for the incorporation and organization of school districts and high school districts.
- Allows the legislature to authorize the governing boards of all school districts to initiate and carry on any programs or activities which are not in conflict with the laws and purposes for which school districts are established.
- Allows each county to decide how to choose its local superintendent, either through voter election or county school board appointment.
- Requires the county board of education to fix the salary of the county superintendent.
- Allows two or more counties to unite and establish one joint board of education and one joint county superintendent of schools.
- Requires the state board of education to adopt textbooks for use in grades one through eight throughout the state, to be furnished without cost.

Colorado

- Requires the legislature to provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the state, so that all state residents, between the ages of six and twenty-one years, may be educated gratuitously.
- Forbids any appropriation or payment from any public fund in aid of any church or sectarian society, for any sectarian purpose or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution controlled by any church or sectarian denomination. Forbids any grant or donation of land, money or other personal property to be made by the state to any church or for any sectarian purpose.
- Requires public schools to be free from sectarian instruction.
- Provides that the free exercise and enjoyment of religious profession and worship, without discrimination, are guaranteed; that no person be required to attend or support any ministry or place of worship, religious sect or denomination against his consent; and that no preference be given by law to any religious denomination or mode of worship.
- Vests general supervision of the public schools in an elected board of education. Specifies the composition of the state board. Charges the state board with appointing a state commissioner of education.
- Charges the legislature with providing for the organization of school districts, in each of which shall be established a board of education to consist of three or more elected directors, who will have control of instruction in the public schools of their respective districts.
- Requires one or more public schools to be maintained in each school district for at least three months in each year. Allows the legislature to require that every child of sufficient mental and physical ability between the ages of six and eighteen attend the public school for a time equivalent to three years, unless educated by other means.
- Allows for a superintendent of schools in each county. Establishes the terms of office for county superintendents of schools. Allows each county's electors to abolish this office.
- Forbids the legislature or the state board from prescribing textbooks to be used in the public schools.

Connecticut

- Requires the legislature to provide free public elementary and secondary schools.
- Prohibits any laws to ever be made which authorize the school fund to be diverted to any other use than the encouragement and support of public schools.
- Requires that no person by law be compelled to join or support, be classed or associated with, any congregation, church or religious association; that no preference be given by law to any religious society or denomination in the state; and that each religious society or denomination has and enjoys the same and equal powers, rights and privileges, and may support and maintain the ministers or teachers of its society or denomination, and may build and repair houses for public worship.

Delaware

- Requires the legislature to provide for the establishment and maintenance of a general and efficient system of free public schools.
- Prohibits any property tax receipts received by a public school district as a result of a property tax levied for a particular purpose to be used for any other purpose except upon the favorable vote of a majority of the eligible voters in the district voting on the question.
- Forbids any funds raised for educational purposes to be appropriated to or used by or in aid of any sectarian, church or denominational school.
- Requires that no man be compelled to attend any religious worship, to contribute to the erection or support of any place of worship, or to the maintenance of any ministry, against his own free will and consent; that no power be vested in or assumed by any magistrate that interferes with, or in any manner controls the rights of conscience, in the free exercise of religious worship; and that no preference be given by law to any religious societies, denominations, or modes of worship.
- Allows the legislature to provide for the transportation of students of nonpublic, nonprofit elementary and high schools.
- Allows the legislature to require that every child attend public school, unless educated by other means.

Florida

- Provides that a paramount duty of the state is to make adequate provision for the education of all children residing within its borders, and that adequate provision be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.
- Provides that the income derived from the state school fund, and the principal of the fund, be appropriated but only to the support and maintenance of free public schools.
- Provides that there be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof, and that no revenue of the state or any political subdivision or agency thereof ever be taken from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.
- Provides that the governor and the members of his or her cabinet constitute the state board of education, which shall be a body corporate and have supervision of the system of public education. As of January 7, 2003, requires that the state board of education be a body corporate and have such supervision of the system of free public education as is provided by law, and that the state board of education consist of seven members appointed by the governor to staggered 4-year terms, subject to confirmation by the senate.
- Creates an elected state commissioner of education, who shall supervise the public education system and be a member of the governor's cabinet. As of January 7, 2003, requires that the state board of education appoint the commissioner of education.
- Provides that each county constitutes a school district. Allows two or more contiguous counties, upon vote of the electors of each county, to be combined into one school district.
- Requires that there be, in each school district, a school board composed of five or more members chosen by vote of the electors for appropriately staggered terms of four years. Charges the school board with operating, controlling and

supervising all free public schools within the school district and determining the rate of school district taxes within prescribed limits. Allows two or more school districts to operate and finance joint educational programs.

- Provides for an elected superintendent of schools in each school district. Allows a school district, either through a district school board resolution, special law or vote of the electors, to change from an elected superintendent to an appointed superintendent. Establishes the terms of office for the district school superintendents.

Georgia

- Requires that the provision of an adequate public education for the state's citizens be a primary obligation of the state, free and provided for by taxation.
- Requires that school tax funds be expended only for the support and maintenance of public schools, public vocational-technical schools and public education.
- Provides that no money ever be taken from the public treasury, directly or indirectly, in aid of any church, sect, or denomination of religionists, or of any sectarian institution.
- Provides for a state board of education, to be appointed by the governor and confirmed by the senate. Establishes the terms of office for state board members.
- Provides for an elected state school superintendent, who shall be the executive officer of the state board.
- Requires each school system to be under the management and control of an elected board of education. Charges each local board of education with appointing a school superintendent, who shall be the executive officer of the local board of education.
- Grants authority to county and area boards of education to establish and maintain public schools within their limits.
- Allows the legislature to provide for the consolidation of two or more school systems, although no consolidation becomes effective until a majority of voters in each school system approves it.
- Allows two or more boards of education to contract with each other for the care, education and transportation of pupils.
- Allows the legislature to provide for the sharing of facilities or services by and between local boards of education under such joint administrative authority as may be authorized.
- Allows the legislature to provide for special schools and the participation of local boards of education in the establishment of such schools, although a majority of the voters must approve any bonded indebtedness or school tax levy.

Hawaii

- Requires the state to provide for the establishment, support and control of a statewide system of public schools.
- Prohibits public funds to be appropriated for the support or benefit of any sectarian or private educational institution, with certain exceptions.
- Requires that public schools be free from sectarian control.
- Provides that no law be enacted respecting an establishment of religion, or prohibiting the free exercise thereof.
- Creates an elected state board of education. Specifies the composition and the method of election of the state board. Charges the state board with formulating statewide educational policy and appointing the state superintendent of education, who shall be the chief executive officer of the public school system.
- Requires the state to provide for a Hawaiian education program consisting of language, culture and history in the public schools. Encourages the use of community expertise as a suitable and essential means in furtherance of the Hawaiian education program.

Idaho

- Requires the legislature to establish and maintain a general, uniform and thorough system of public, free common schools.
- Forbids any appropriation or payment from any public fund in aid of any church or sectarian or religious society, for any sectarian or religious purpose or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution controlled by any church, sectarian or religious denomination. Forbids any grant or donation of land, money or other personal property by the state to any church or for any sectarian or religious purpose.
- Requires that public schools be free from sectarian instruction.

- Provides that the exercise and enjoyment of religious faith and worship forever be guaranteed; that no person be required to attend or support any ministry or place of worship, religious sect or denomination, or pay tithes against his consent; and that no preference be given by law to any religious denomination or mode of worship.
- Vests general supervision of state educational institutions and the public school system in a state board of education. Requires that the state superintendent of public instruction be an ex officio member of the state board.
- Allows the legislature to require that every child attend the public schools throughout the period between the ages of six and eighteen, unless educated by other means.

Illinois

- Requires the state to provide for an efficient system of high quality public educational institutions and services and a free education in public schools through the secondary level.
- Provides that the state has the primary responsibility for financing the system of public education.
- Forbids any appropriation or payment from any public fund in aid of any church or sectarian purpose or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution controlled by any church or sectarian denomination. Forbids any grant or donation of land, money or other personal property by the state to any church or for any sectarian purpose.
- Provides that the free exercise and enjoyment of religious profession and worship, without discrimination, forever be guaranteed; that no person be required to attend or support any ministry or place of worship against his consent; and that no preference be given by law to any religious denomination or mode of worship.
- Creates a state board of education. Allows the state board to establish goals, determine policies, provide for planning and evaluating education programs and recommend financing. Charges the state board with appointing the chief state educational officer.

Indiana

- Requires the legislature to provide for a general and uniform system of common schools, which shall be free and equally open to all.
- Requires that the income of the common school fund be inviolably appropriated to the support of common schools and to no other purpose whatever.
- Provides that no law, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience; that no preference be given, by law, to any creed, religious society, or mode of worship; that no person be compelled to attend, erect, or support, any place of worship, or to maintain any ministry, against his consent; and that no money be drawn from the treasury, for the benefit of any religious or theological institution.
- Creates a state superintendent of public instruction.

Iowa

- Provides that the general assembly make no law respecting an establishment of religion, or prohibiting the free exercise thereof, and that no person be compelled to attend any place of worship, pay tithes, taxes, or other rates for building or repairing places of worship, or the maintenance of any minister, or ministry.
- According to an official at the Iowa Department of Education, the state of Iowa removed the education section from the Iowa Constitution and placed it in the Iowa statutes in 1864.

Kansas

- Requires the legislature to establish and maintain public schools, educational institutions and related activities.
- Forbids any religious sect or sects from controlling any part of the public educational funds.
- Provides that the right to worship God according to the dictates of conscience never be infringed; that no person be compelled to attend or support any form of worship; that no control of or interference with the rights of conscience be permitted; and that no preference be given by law to any religious establishment or mode of worship.
- Charges the legislature with providing for an elected state board of education, which shall have general supervision of public schools, educational institutions and all the educational interests of the state. Establishes the number of state

board members. Charges the state board with appointing a state superintendent of public instruction, who shall be the state board's executive officer.

- Requires that local public schools under the general supervision of the state board of education be maintained, developed and operated by locally elected boards. Allows these local boards, under certain conditions, to make and carry out agreements for cooperative operation and administration of educational programs.
- Prohibits any state superintendent of public instruction or county superintendent of public instruction to be elected.

Kentucky

- Requires the legislature to provide for an efficient system of common schools throughout the state.
- Forbids any monies raised or levied for educational purposes to be appropriated to or used by or in aid of any church, sectarian or denominational school.
- Provides that no preference ever be given by law to any religious sect, society or denomination, nor to any particular creed, mode of worship or system of ecclesiastical polity; that no person be compelled to attend any place of worship, to contribute to the erection or maintenance of any such place, or to the salary or support of any minister of religion; that no man be compelled to send his child to any school to which he may be conscientiously opposed; and that no human authority, in any case whatever, control or interfere with the rights of conscience.

Louisiana

- Requires the legislature to provide for the education of the people of the state and establish and maintain a public educational system.
- Provides that no law be enacted respecting an establishment of religion or prohibiting the free exercise thereof.
- Creates a state board of elementary and secondary education to supervise and control the public elementary and secondary schools, vocational technical training and other special schools. Establishes the terms of office and the methods for appointing and electing state board members.
- Provides that the state board shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees.
- Allows the state board to approve a private school with a sustained curriculum or specialized course of study of quality at least equal to that prescribed for similar public schools. Provides that a certificate issued by an approved private school carries the same privileges as one issued by a state public school.
- Provides for an elected state superintendent of education for public elementary and secondary education.
- Requires the legislature to create parish school boards and provide for the election of their members. Charges each parish board with electing a superintendent of parish schools.
- Allows any two or more school systems to be consolidated, subject to approval by a majority of the voting electors in each system affected.
- Requires the legislature to appropriate funds to supply free school books and other materials of instruction prescribed by the state board.

Maine

- Authorizes the legislature to require towns to make suitable provision, at their own expense, for the support and maintenance of public schools.
- Authorizes the legislature to encourage and suitably endow all academies, colleges and seminaries of learning within the state.
- Provides that all persons demeaning themselves peaceably, as good members of the state, be equally under the protection of the laws, and no subordination nor preference of any one sect or denomination to another ever be established by law, nor any religious test be required as a qualification for any office or trust, under this state; and that all religious societies in this state, whether incorporate or unincorporate, at all times have the exclusive right of electing their public teachers, and contracting with them for their support and maintenance.

Maryland

- Requires the legislature to provide for the establishment of a thorough and efficient system of free public schools and to provide by taxation for their maintenance.
- Provides that the school fund be kept inviolate and appropriated only to the purposes of education.
- Provides that all persons are equally entitled to protection in their religious liberty, and that no person be compelled to frequent, or maintain, or contribute, unless on contract, to maintain, any place of worship, or any ministry.

Massachusetts

- Requires the legislatures and magistrates to cherish the interests of literature and the sciences and all seminaries of them, especially the university at Cambridge, public schools and grammar schools in the towns. Requires the legislatures and magistrates to encourage private societies and public institutions for the promotion of agriculture, arts, sciences, commerce, trades, manufactures and a natural history of the country.
- Forbids any grant, appropriation or use of public money or property or loan of credit to be made or authorized by the commonwealth for the purpose of founding, maintaining or aiding any infirmary, hospital, institution, primary or secondary school or charitable or religious undertaking which is not publicly owned and under the exclusive control, order and supervision of public officers or public agents authorized by the commonwealth or federal authority or both. Prohibits any such grant, appropriation or use of public money or property or loan of public credit to be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.
- Provides that all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, be equally under the protection of the law; that no subordination of any one sect or denomination to another ever be established by law; and that no law be passed prohibiting the free exercise of religion.

Michigan

- Requires the legislature to maintain and support a system of free public elementary and secondary schools.
- Forbids any public monies or property to be appropriated or paid or any public credit utilized by the legislature or any other political subdivision or agency directly or indirectly to aid or maintain any private, denominational or other nonpublic pre-elementary, elementary or secondary school.
- Prohibits any payment, credit, tax benefit, exemption or deduction, tuition voucher, subsidy, grant or loan of public monies or property to be provided, directly or indirectly, to support the attendance of any student or the employment of any person at any nonpublic school or at any location or institution where instruction is offered in whole or in part to nonpublic school systems.
- Provides that no person be compelled to attend, or, against his consent, to contribute to the erection or support of any place of religious worship, or to pay tithes, taxes or other rates for the support of any minister of the gospel or teacher of religion; that no money be appropriated or drawn from the treasury for the benefit of any religious sect or society, theological or religious seminary; and that no property belonging to the state be appropriated for any such purpose.
- Vests leadership and general supervision over all public education in an elected state board of education. Establishes the number, method of election and terms of office of state board members. Charges the state board with appointing a state superintendent of public instruction, who shall be the chairman of the state board, the principal executive officer of a state department of education and responsible for the execution of the state board's policies.
- Allows the legislature to provide for the transportation of students to and from any school.

Minnesota

- Requires the legislature to establish a general and uniform system of public schools and make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state.
- Forbids any public money or property to be appropriated or used for the support of schools wherein the distinctive doctrines, creeds or tenets of any particular Christian or other religious sect are promulgated or taught.
- Provides that no man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; that no preference be given by law to any religious establishment or mode of

worship; and that no money be drawn from the treasury for the benefit of any religious societies or religious or theological seminaries.

Mississippi

- Requires the legislature to provide for the establishment, maintenance and support of free public schools.
- Prohibits any funds to be appropriated toward the support of any sectarian school or to any school that at the time of receiving such appropriation is not conducted as a free school.
- Requires that public schools be free from sectarian control.
- Provides that no preference be given by law to any religious sect or mode of worship, but that the free enjoyment of all religious sentiments and the different modes of worship be held sacred.
- Creates an appointed state board of education. Establishes the method of appointment and terms of office for state board members. Delineates the state board's responsibilities. Charges the state board, with the advice and consent of the senate, with appointing a state superintendent of public education and a superintendent of public education in each county.
- Allows the legislature to make the office of county school superintendent elective, discharge the duties of county superintendent or abolish the office of county school superintendent.

Missouri

- Requires the legislature to establish and maintain free public schools for the gratuitous instruction of all persons in the state within ages not in excess of twenty-one years.
- Forbids any appropriation or payment from any public fund in aid of any religious creed, church or sectarian purpose or to help support or sustain any private or public school, academy, seminary, college, university or other institution of learning controlled by any religious creed, church or sectarian denomination. Forbids any grant or donation of personal property or real estate by the state for any religious creed, church or sectarian purpose.
- Provides that no person be compelled to erect, support or attend any place or system of worship, or to maintain or support any priest, minister, preacher or teacher of any sect, church, creed or denomination of religion, but if any person voluntarily makes a contract for any such object, he shall be held to the performance of the same; that no money ever be taken from the public treasury, directly or indirectly, in aid of any church, sect or denomination of religion, or in aid of any priest, preacher, minister or teacher thereof, as such; and that no preference be given to nor any discrimination made against any church, sect or creed of religion, or any form of religious faith or worship.
- Vests the supervision of instruction in the public schools in a state board of education, with its members appointed by the governor by and with the advice and consent of the senate. Sets the terms of office for state board members. Requires that there are never more than four members of the same political party on the state board. Charges the state board with selecting and appointing a commissioner of education.

Montana

- Requires the legislature to provide a basic system of free quality public elementary and secondary schools.
- Disallows any direct or indirect appropriation or payment from any public fund or monies or any grant of lands or other property for any sectarian purpose or to aid any church, school, academy, seminary, college, university or other literary or scientific institution controlled in whole or in part by any church, sect or denomination.
- Requires that public schools be free from sectarian instruction.
- Requires that the state make no law respecting an establishment of religion or prohibiting the free exercise thereof.
- Creates a state board of education, to be composed of the board of regents of higher education and the board of public education. Holds the state board responsible for long-range planning and for coordinating and evaluating policies and programs for the state's educational systems.
- Creates a board of public education to exercise general supervision over the public school system, to be composed of the governor, the commissioner of higher education, the state superintendent of public instruction and seven members appointed by the governor and confirmed by the senate.
- Requires that the supervision and control of schools in each school district be vested in an elected board of trustees.

Nebraska

- Requires the legislature to provide for the free instruction in the state's common schools of all persons between the ages of five and twenty-one years.
- Forbids the appropriation of public funds to any school or institution of learning not owned or exclusively controlled by the state. Prohibits the state from accepting money or property to be used for sectarian purposes.
- Allows the legislature to authorize the state to contract with institutions not wholly owned or controlled by the state for the provision of educational or other services for the benefit of children under the age of twenty-one years who are handicapped, if such services are nonsectarian in nature.
- Requires that public schools be free from sectarian instruction.
- Provides that no person be compelled to attend, erect or support any place of worship against his consent, and no preference be given by law to any religious society.
- Creates the state department of education, to be composed of the state board of education and the commissioner of education. Provides that the state department has general supervision and administration of the school system of the state.
- Creates an elected state board of education, to be composed of eight members. Establishes the terms of office for state board members. Charges the state board with appointing the commissioner of education, who shall be the executive officer of the state board and the administrative head of the state department of education.

Nevada

- Requires the legislature to provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year.
- Prohibits public funds of any kind or character to be used for sectarian purposes.
- Forbids any sectarian instruction to be imparted or tolerated in any school or university that is established under the state's constitution.
- Provides that any school district which allows instruction of a sectarian character may be deprived of its proportion of the interest of the public school fund during such neglect or infraction.
- Provides that the free exercise and enjoyment of religious profession and worship without discrimination or preference forever be allowed in the state.
- Requires the legislature to provide for a superintendent of public instruction.
- Allows the legislature to pass such laws as will secure a general attendance of the children at the public schools in each school district.

New Hampshire

- Requires the legislature to cherish all seminaries and public schools, and to encourage private and public institutions for the promotion of agriculture, arts, sciences, commerce, trades, manufactures and the natural history of the country.
- Forbids the state from mandating or assigning any new, expanded or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision unless such programs or responsibilities are fully funded by the state or unless such programs or responsibilities are approved for funding by a vote of the local legislative body of the political subdivision.
- Prohibits any money raised by taxation to ever be granted or applied for the use of the schools or institutions of any religious sect or denomination.
- Provides that the several parishes, bodies, corporate, or religious societies at all times have the right of electing their own teachers, and of contracting with them for their support or maintenance, or both; that no person ever be compelled to pay towards the support of the schools of any sect or denomination; and that every person, denomination or sect be equally under the protection of the law, and no subordination of any one sect, denomination or persuasion to another ever be established.

New Jersey

- Requires the legislature to provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the state between the ages of five and eighteen years.
- Forbids the legislature from diverting the public school fund from the support of the public schools.
- Provides that no person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately and voluntarily engaged to perform, and that there be no establishment of one religious sect in preference to another.
- Allows the legislature to provide for the transportation of children between the ages of five to eighteen years inclusive to and from any school.
- Provides that no person be denied the enjoyment of any civil or military right, nor be discriminated against in the exercise of any civil or military right, nor be segregated in the militia or in the public schools, because of religious principles, race, color, ancestry or national origin.

New Mexico

- Requires that a uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state be established and maintained.
- Forbids any money appropriated, levied or collected for educational purposes to be used for the support of any sectarian, denominational or private school.
- Provides that no person be required to attend any place of worship or support any religious sect or denomination, and that no preference be given by law to any religious denomination or mode of worship.
- Creates a state board of education to determine, control, manage and direct public school policy and vocational educational policy. Sets the terms of office for state board members, some of whom are elected and some of whom are appointed by the governor with the consent of the senate. Charges the state board with appointing a superintendent of public instruction to direct the state department of public education.
- Requires the legislature to provide for the training of teachers in the normal schools or otherwise so they become proficient in both the English and Spanish languages and are able teach Spanish-speaking pupils and students in the public schools and educational institutions of the state. Requires the legislature to provide proper means and methods to facilitate the teaching of the English language and other branches of learning to such pupils and teachers.
- Allows those local school districts having a population of more than two hundred thousand to choose to have a local school board composed of seven members, who must be residents of and elected from single member districts.
- Provides for the recall of any elected local school board member by the voters of a local school district.
- Provides that every child of school age and of sufficient physical and mental ability be required to attend a public or other school.

New York

- Requires the legislature to provide for the maintenance and support of a system of free common schools, wherein all the children of the state may be educated.
- Forbids the state from using its property or credit or any public money or authorizing or permitting either to be used directly or indirectly in aid or maintenance of any school or institution of learning wholly or in part under the control or direction of any religious denomination or in which any denominational tenet or doctrine is taught.
- Provides that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, forever be allowed in New York to all mankind.
- Allows the legislature to provide for the transportation of children to and from any school or institution of learning.

North Carolina

- Provides that the people have a right to the privilege of education, and it is the duty of the state to guard and maintain that right.

- Requires the legislature to provide by taxation and otherwise for a general and uniform system of free public schools, which shall be maintained at least nine months in every year and wherein equal opportunities shall be provided for all students.
- Requires that the state school fund and the county school funds be faithfully appropriated and used exclusively for establishing and maintaining a uniform system of free public schools.
- Provides that no human authority, in any case whatever, control or interfere with the rights of conscience; that no person be denied the equal protection of the laws; and that no person be subjected to discrimination by the state because of race, color, religion, or national origin.
- Creates a state board of education to supervise and administer the free public school system and the educational funds provided for its support. Requires that the state board consist of the lieutenant governor, the treasurer and eleven members appointed by the governor and subject to confirmation by the legislature in a joint session. Establishes the methods of appointment and terms of office for state board members.
- Creates a state superintendent of public instruction, who shall be the secretary and chief administrative officer of the state board.

North Dakota

- Requires the legislature to make provision for the establishment and maintenance of a system of public schools which shall be open to all the state's children.
- Requires the legislature to provide for a uniform system of free public schools throughout the state.
- Prohibits any money raised for the support of public schools to be appropriated to or used for the support of any sectarian school.
- Requires that public schools be free from sectarian control.
- Provides that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, be forever guaranteed in North Dakota.

Ohio

- Requires the legislature to make such provision, by taxation or otherwise, as will secure a thorough and efficient system of common schools throughout the state.
- Requires that provisions be made by law for the organization, administration and control of the public school system of the state supported by public funds.
- Forbids any religious or other sect from having any exclusive right to, or control of, any part of the school funds of the state.
- Provides that no person be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; that no preference be given, by law, to any religious society; that no interference with the rights of conscience be permitted; and that it is the duty of the general assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction.
- Creates a state board of education. Charges the legislature with establishing the method of selection and terms of office for state board members. Charges the state board with appointing a state superintendent of public instruction.
- Authorizes each school district to determine by referendum vote the number of members and the organization of the district board of education.

Oklahoma

- Requires the legislature to establish and maintain a system of free public schools, which shall be open to all the children of the state and free from sectarian control; said schools shall always be conducted in English, although the teaching of other languages in said public schools is not precluded.
- Provides that no public money or property ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary, or sectarian institution as such.
- Vests the supervision of instruction in the public schools in a state board of education. Requires the state superintendent of public instruction to be the president of the state board.

- Requires the legislature to provide for a system of textbooks for the common schools. Requires the state to furnish such textbooks free of cost for use by all the pupils of the common schools. Requires the legislature to authorize the governor to appoint a committee composed of active educators of the state, whose duty it shall be to prepare official multiple textbook lists from which textbooks for use in common schools shall be selected by committees composed of active educators in the local school districts in a manner to be designated by the legislature.
- Requires the legislature to provide for the teaching of the elements of agriculture, horticulture, stock feeding and domestic science in the common schools.
- Requires that the legislature provide for the compulsory attendance at some public or other school of all the children between the ages of eight and sixteen years for at least three months in each year.

Oregon

- Requires the legislature to provide for the establishment of a uniform and general system of common schools.
- Provides that no law in any case whatever control the free exercise, and enjoyment of religious opinions, or interfere with the rights of conscience, that no money be drawn from the treasury for the benefit of any religious, or theological institution; and that no money be appropriated for the payment of any religious services in either house of the legislature.
- Charges the legislature with providing for the election of a state superintendent of public instruction.

Pennsylvania

- Requires the legislature to provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth.
- Forbids any money raised for the support of the public schools to be appropriated to or used for the support of any sectarian school.
- Provides that no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent, and that no preference ever be given by law to any religious establishments or modes of worship.

Rhode Island

- Requires the legislature to promote public schools and to adopt all means which it may deem necessary and proper to secure to the people the advantages and opportunities of education.
- Forbids the legislature from diverting the school fund from the support of the public schools.
- Provides that no person be compelled to frequent or to support any religious worship, place, or ministry whatever, except in fulfillment of such person's voluntary contract.

South Carolina

- Requires the legislature to provide for the maintenance and support of a system of free public schools open to all children.
- Forbids any money to be paid from public funds for the direct benefit of any religious or other private educational institution.
- Provides that the legislature make no law respecting an establishment of religion or prohibiting the free exercise thereof.
- Creates a state board of education, all of whose members are elected (except a member appointed by the governor).
- Creates a state superintendent of education, who shall be the chief administrative officer of the public education system.

South Dakota

- Requires the legislature to establish and maintain a general and uniform system of public schools, equally open to all and wherein tuition shall be without charge.
- Disallows any appropriation of lands, money or other property or credits to aid any sectarian school by the state. Forbids the state to accept any grant, conveyance, gift or bequest of lands, money or other property to be used for sectarian purposes.
- Requires that public schools be free from sectarian instruction.

- Allows the legislature to authorize the loaning of nonsectarian textbooks to all children of school age.
- Provides that no person be compelled to attend or support any ministry or place of worship against his consent; that no preference be given by law to any religious establishment or mode of worship; and that no money or property of the state be given or appropriated for the benefit of any sectarian or religious society or institution.

Tennessee

- Requires the legislature to provide for the maintenance, support and eligibility standards of a system of free public schools.
- Provides that no man be compelled to attend, erect, or support any place of worship, or to maintain any minister against his consent, and that no preference ever be given, by law, to any religious establishment or mode of worship.

Texas

- Requires the legislature to establish and make suitable provision for the support and maintenance of an efficient system of free public schools.
- Prohibits any part of the public school fund to ever be appropriated to or used for the support of any sectarian school.
- Provides that no man be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent; that no preference ever be given by law to any religious society or mode of worship; that it is the duty of the legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship; that no money be appropriated, or drawn from the treasury for the benefit of any sect, or religious society, theological or religious seminary; and that no property belonging to the state be appropriated for any such purposes.
- Provides for the support of public schools for not less than six months in each year.
- Requires the legislature to provide for a state board of education and establish the terms of office for each board member.
- Requires the legislature to set the terms of all offices of the public school system not to exceed six years.
- Charges the state board with providing free textbooks for children attending the public schools.

Utah

- Requires the legislature to provide for the establishment and maintenance of a public education system, which shall include all public elementary and secondary schools, be open to all children of the state and free, except that the legislature may authorize the imposition of fees in secondary schools.
- Prohibits any appropriations for the direct support of any school or educational institution controlled by any religious organization.
- Requires that the public education system be free of sectarian control.
- Provides that the state make no law respecting an establishment of religion or prohibiting the free exercise thereof; that there be no union of church and state; that no church dominate the state or interfere with its functions; and that no public money or property be appropriated for or applied to any religious worship, exercise or instruction, or for the support of any ecclesiastical establishment.
- Vests the general control and supervision of public education in an elected state board of education. Charges the state board with appointing a state superintendent of public instruction.

Vermont

- Provides that a competent number of schools ought to be maintained in each town unless the general assembly permits other provisions for the convenient instruction of youth.
- Provides that no person ought to, or of right be compelled to attend any religious worship, or erect or support any place of worship, or maintain any minister, contrary to the dictates of conscience, and that no authority can, or ought to be vested in, or assumed by, any power whatever, that in any case interferes with, or in any manner control the rights of conscience, in the free exercise of religious worship.

Virginia

- Requires the legislature to provide for a system of free public elementary and secondary schools for all children of school age and to seek to ensure that an educational program of high quality is established and maintained.
- Allows the legislature to provide for the establishment, maintenance and operation of any educational institutions which are desirable for the intellectual, cultural and occupational development of the people.
- Prohibits any appropriation of public funds to any school or institution of learning not owned or exclusively controlled by the state or some political subdivision. Allows the state to appropriate funds for educational purposes in public and nonsectarian private schools and institutions of learning.
- Provides that no man be compelled to frequent or support any religious worship, place, or ministry whatsoever; that the legislature not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within the commonwealth, to levy on themselves or others, any tax for the erection or repair of any house of public worship, or for the support of any church or ministry; but it shall be left free to every person to select his religious instructor, and to make for his support such private contract as he shall please.
- Vests the general supervision of the public school system in a state board of education, to be composed of nine members appointed by the governor and subject to confirmation by the legislature. Establishes the terms of office for state board members. Prescribes the powers and duties of the state board.
- Creates a state superintendent of public instruction, who shall be an experienced educator, appointed by the governor and subject to confirmation by the legislature. Allows the legislature to alter the method of selection and term of office for the state superintendent of public instruction.
- Vests the supervision of schools in each school division in a school board.
- Requires the state board to certify to the school board of each division a list of qualified persons for the office of division superintendent of schools, one of whom shall be selected to fill the post by the division school board. Charges the state board with appointing a division superintendent if a division school board fails to select a division superintendent within the time prescribed by law.
- Requires the state board to periodically determine and prescribe standards of quality for school divisions, subject to revision only by the legislature.
- Authorizes the state board to approve textbooks and instructional aids and materials for use in courses in the public schools.
- Requires the legislature to ensure that textbooks are provided at no cost to each child attending public school whose parent or guardian is financially unable to furnish them.
- Charges the legislature with providing for the compulsory elementary and secondary education of every eligible child of appropriate age.

Washington

- Requires the legislature to provide for a general and uniform system of public schools.
- Requires that the entire revenue derived from the common school fund and the state tax for common schools be exclusively applied to the support of the common schools.
- Requires that all schools maintained or supported wholly or in part by the public funds be forever free from sectarian control or influence.
- Provides that no public money or property be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment.

West Virginia

- Requires the legislature to provide for a thorough and efficient system of free schools.
- Provides that no man be compelled to frequent or support any religious worship, place or ministry whatsoever; that the legislature not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within the state, to levy on themselves, or others, any tax for the erection or repair of any house for public worship, or for the support of any church or ministry, but it shall be left free for every person to select his religious instructor, and to make for his support, such private contracts as he shall please.

- Requires public schools to provide a designated brief time at the beginning of each school day for any student desiring to exercise their right to personal and private contemplation, meditation or prayer; that no student of a public school be denied the right to personal and private contemplation, meditation or prayer; and that no student be required or encouraged to engage in any given contemplation, meditation or prayer as a part of the school curriculum.
- Vests the general supervision of the free schools in the state board of education, to be composed of nine members appointed by the governor by and with the advice and consent of the senate. Forbids any more than five members of the state board from belonging to the same political party. Establishes the terms of office and the grounds for removal from office for state board members. Charges the state board with selecting the state superintendent of free schools, who shall be the chief school officer of the state.
- Allows the legislature to provide for county superintendents and such other officers as may be necessary.

Wisconsin

- Requires the legislature to provide for the establishment of district schools, which shall be as nearly uniform as practicable and free and without charge for tuition for all children between the ages of four and twenty years.
- Forbids any money to be drawn from the treasury for the benefit of religious societies or religious or theological seminaries.
- Prohibits any sectarian instruction in district schools. Allows the legislature, for the purpose of religious instruction outside the district schools, to authorize the release of students during regular school hours.
- Allows the legislature to provide for the transportation of children to and from any parochial or private school or institution of learning.
- Allows the legislature to authorize, by law, the use of public school buildings by civic, religious or charitable organizations during nonschool hours upon payment by the organization to the school district of reasonable compensation for such use.
- Provides that no man be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent; that no control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments or modes of worship; and that no money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries.
- Vests the supervision of public instruction in an elected state superintendent of public instruction. Prescribes the method of election and the term of office for the state superintendent of public instruction.

Wyoming

- Provides that the right of the citizens to opportunities for education have practical recognition, and requires the legislature to suitably encourage means and agencies calculated to advance the sciences and liberal arts.
- Requires the legislature to provide for the establishment and maintenance of a complete and uniform system of public instruction.
- Requires the legislature to create and maintain a thorough and efficient system of public schools, adequate to the proper instruction of all youth of the state between the ages of six and twenty-one years and free of charge.
- Forbids any portion of any public school fund to ever be used to support or assist any private school or any school, academy, seminary, college or other institution of learning controlled by any church or sectarian organization or religious denomination.
- Requires that public schools be free from sectarian instruction.
- Provides that the free exercise and enjoyment of religious profession and worship without discrimination or preference be forever guaranteed in the state, and that no money of the state ever be given or appropriated to any sectarian or religious society or institution.
- Provides for the support of public schools for not less than three months in each year.
- Entrusts the general supervision of the public schools to the state superintendent of public instruction.
- Charges the legislature with requiring every child of sufficient physical and mental ability to attend a public school during the period between six and eighteen years for a time equivalent to three years, unless educated by other means.
- Forbids the legislature and the state superintendent of public instruction from prescribing textbooks to be used in the public schools.

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PROMOTION/RETENTION/COMPLETION

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STATE STUDENT PROMOTION/RETENTION POLICIES

Information Clearinghouse, August 1999

INTRODUCTION

The past few years have seen an increase in the degree to which students, as well as teachers and administrators, are held accountable for the achievement of high academic goals. For students, this increased accountability has primarily taken the form of performance on state- and district-level assessments and, in a growing number of states, promotion to the next grade level on the basis of the results of these assessments and other indicators. While not promoting students based on the results of their subject assessments may appear to be a reasonable measure to motivate students to work towards mastering grade-level competencies, and retaining them may seem the best means of assuring that they learn grade-level skills before moving ahead, the issue is much more complex, and should be examined in greater detail before policymakers and administrators determine procedures for the promotion and retention of students.

STATE POLICIES

States' policies regarding student promotion and retention vary significantly in the combination of their criteria for retention (i.e., state/district assessment scores, classroom performance), which grades are specified (if any), which subjects are singled out (if any), and the level at which authority rests (i.e., the state legislation, the state board of education, the local school board, the individual student's teacher, or a combination of the above.) Policies can generally be examined in the following categories, and will be considered in these groupings in this Clearinghouse Note:

- Based on student's score on a state and/or district assessment: AZ (1), AR, CA (2), CO (3), CT, DE, DC, FL, IL(4), LA, MI, MS, NM, NC, OH, OK (5), Puerto Rico, SC, TX, WI
- Not expressly assessment-based; determined both by state board and local school board requirements: AZ (1), CA (2), MD, MO, NC
- Not expressly assessment-based; expressly the decision of local school board/school committee/superintendent: KY, MA, MN, NJ, NY
- Based on classroom performance: AZ (5), AR, CA (2), NV, PA, TN, TX

Notes: (1) AZ law requires districts to create student promotion/retention policies which include consideration of students' district assessment scores, but other criteria are also to be used. (2) CA law allows retention based on state assessment results as well as students' classroom performance. (3) CO law requires retention of child only in reading classes—pupil deficient only in reading may progress to next grade level in other subjects. (4) IL policy bases retention on both students' state assessment scores as well as on district policy, which local school boards were required to adopt by September 1, 1998. (5) OK law addresses both assessments and teacher decisions (5) AZ law requires teachers to determine whether their students should be retained or promoted, but also mandates that district policy and district assessments be followed.

Key (= not stated in law)*

ASSESSMENT SELECTED BY:	COMPETENCY LEVELS SET BY:	GRADE LEVELS/SUBJECTS	
S: state	SB: State board	G: general	W: writing
D: district	SMB: State-mandated board (other than state board of education)	E: English/language arts	M: mathematics
SAAI: State-approved assessment instrument, but not the state assessment	DOE: Department of Education	R: reading	SC: science
	DB: District board		SS: social studies

PART I: Promotion/retention based on student's score on a state and/or district assessment:

Arizona--Delaware

Provisions	AZ	AR	CA	CO	CT	DE
Code citation(s)	ARIZ. REV. STAT. § 15-521,§ 15-342; § 15-701	1999 HB 1212 (**repealed** ARK. CODE ANN. § 6-16-703, which required summer school attendance, but not specifically summer school *remediation* for promotion of students not performing at grade level during school year.)	CAL. EDUC. CODE § 48070; § 48070.5	COLO. REV. STAT. § 22-7-504	1999 HB 7043(2), (3), and (5) **(Section 5 repeals Section 10-265g of CONN. GEN. STAT; all laws refer only to pupils in "priority school districts," which are the 8 towns in CT with the greatest population and the 11 towns which rank highest by two measures of poverty. See CONN. GEN. STAT. ANN. § 10-266p).**	DEL.CODE ANN. tit. 14, §153; § 122(b)(4)
Assessment selected by	D	*	S	SAAI	HB 7043(3): SB HB 7043(5): D	S
Waiver/override provision given to	Governing Board	*	Teacher recourse/appeals procedure	*	HB 7043(3): Superintendent may, upon school principal's recommendation, exempt pupils from summer school attendance otherwise required by poor performance on 4th- and 6th-grade mastery exams. Such student may be promoted without summer school attendance. HB 7043(5): School principal may promote student who is "substantially deficient in reading" from third to fourth grade, but must "provide written justification for such promotion" to the district superintendent.	Students already retained one year under this policy are exepmted. Student who is still reading below grade level at end of retention year may pass to next grade level, but must receive "individual improvement plan," which must "identify a specific course of study for the student and the academic improvement activities the student must undertake in order to improve the student's reading ability to a proficient level."
Competency levels set by	SB	*	SB	SMB	HB 7043(2): DB HB 7043(3): SB HB 7043(5): SB	DOE—"The Department may choose additional indicators of a student's performance level."

Provisions	AZ	AR	CA	CO	CT	DE
Grade levels/subjects targeted	8/G 3/R,W,M, SC, SS	K-3/not specified	2/R, 3/R, 4/R,E,M; from elementary to middle school/R,E,M; from middle school to high school/R,E,M	3/R	HB 7043(5): 1/R, 2/R, 3/R (Kindergartners needing reading and reading readiness help advised to attend summer school but not subject to retention on basis of reading deficiencies.)	3, 5, 8, 10/R; 8/M
Students in other grade levels may be retained	•	•	Yes	•	•	•
Considerations in retention decision	Student's "cultural background"	•	•	Set forth by state board of education; legislation, however, states that when child's disability is "a substantial cause" for his "inability to read and comprehend at grade level," he may be promoted.	•	Students whose reading proficiency "approaches but does not meet grade level proficiency" will not be retained; student will also be promoted if he shows grade-level reading proficiency on "the reading assessment or a Department of Education-approved alternative subsequent to participation in a summer remedial program and prior to the commencement of the next school year…" Student who has already been retained two years because of "inadequate academic performance" will likewise not be retained.
District role (besides administering local assessments, where applicable)	Prescribe curricula, set promotion criteria	•	Set promotion criteria	•	HB 7043(2): On or before July 1, 2000, local and regional boards must revise their promotion and graduation policies to include specified components. HB 7043(5): Must offer summer reading program to exiting kindergartners identified by teachers as needing additional reading assistance.	•
Other criteria by which student may be retained	Grades, other achievement indicators	•	Grades, other achievement indicators (district designated)	•	•	First- through eighth-graders must pass at least 50% of the classes taken for credit, excluding physical education; no student will go to a higher grade level without passing English/language arts each year.
Early identification provision	No	•	Yes	No	Yes—Pupils to be tested at middle (as well as end) of school year.	•

Provisions	AZ	AR	CA	CO	CT	DE
Remediation required and/or methods proposed in policy	•	Students in grades K-3 "not performing at grade level during the regular school year shall participate in a Department of Education-approved remediation program or a summer school remediation program to be eligible for promotion to the next grade."	Policies must indicate "manner in which [remediation] opportunities…will be provided to pupils…" but legislation does not require remediation.	Yes, "individual literacy plans" to be created by parents, teachers, and school administrators; must include at least "(A) Sufficient in-school instructional time for the development of the pupil's reading readiness or literacy and comprehension skills"; (B) pupil's parents' or guardian's agreement to a home reading plan with the school; and (C) if needed, pupil placement in a summer reading tutorial program. Plan to remain in place until pupil reads at grade level.	HB 7043 (2): District policies must "include alternatives to promotion such as transition programs, and…provide for supplemental services, and such policies may require students" who may not be eligible "for promotion or graduation to attend after school programs, summer school or other programs…designed to assist students in remedying such deficiencies." HB 7043(3): Mandates remediation in 2000-2001 and after, for 4th-graders, and 6th-graders in 2001-2002 and after, who fall below remedial assistance standard on state mastery exams, unless exempted by school principal following recommendation of pupil's teacher. Summer school is required for 4th- and 6th-grade pupils who fail to meet state mastery exam standards. If pupil fails to attend summer school, he shall be retained. HB 7043(5): School must create "personal reading plan" for 1st-3rd graders who are found "substantially deficient in reading" at the end-of-year reading evaluation. PRPs "shall include measures to improve the student's reading level," i.e., tutoring, "a transitional class," or summer school. Pupil to be promoted on basis of "documented progress in achieving the goals of the personal reading plan or demonstrated reading proficiency." PRPs in place "until the student achieves a satisfactory level of proficiency."	Yes, pupils with reading or math deficiencies must attend a summer school program. Pupil to be re-tested at end of summer, if he does not show skills at grade-level, district must create "individual improvement plan" following education department regulations. Students not yet proficient in reading and/or math but passed to next grade after retention year must participate in reading- and/or math-improvement activities, which may include "[mandatory] summer school, extra instruction, and mentoring programs."

Provisions	AZ	AR	CA	CO	CT	DE
District may establish curricula and competency levels above state criteria	Yes	•	Yes	•	•	•
Other		Schools may elect not to offer summer school program; must, however, offer Department of Education-approved remediation program during the regular school year for those students in grades K-3 not performing at grade level.	County superintendent, boards shall also adopt pupil promotion/retention criteria	Students in grades K-3 are to be tested annually to identify reading problems, however, only 3rd graders are not to be promoted in reading area if reading below grade level; may be promoted in other classes.	10-265g: **Only for students in "priority school districts."** "Personal reading plan" (PRP) in place for a student who is reading below grade level until he is reading at grade level. HB 7043 (2): School districts are to revise their graduation and promotion policies on or before July 1, 2000. Among other things, revised policies must " [i]nclude objective criteria for the promotion and graduation of students, (2) provide for the measuring of the progress of students against such criteria" and report results to students and parents. "The instruction shall be designed to address the student's deficiencies and may include tutoring, an after school or school vacation program, or a week-end school program".	During retention year, student is to work towards grade-level reading proficiency. If a retained child's assessment scores indicate below grade-level proficiency in reading, but grade level proficiency in "another core academic subject," the district must prepare a program of study allowing the student to progress at grade level in the subjects in which he was proficient. The Department shall give districts "standards-based assessment items" which teachers of students not at the grade levels assessed may administer to determine whether their charges "are making satisfactory progress toward meeting the level of proficiency which will be expected of them at the next state testing level."

District of Columbia--Louisiana

Provisions	DC	FL	IL	LA
Code citation(s)	D.C. CODE ANN. § 31-2853.1, § 31-2853.31; §31-2853.36	FLA. STAT. ANN. § 232.245	Chapter 105 ILL. COMP. STAT. ANN. 5/2-3.64; 5/10-20.9a	LA. REV. STAT. ANN. § 17.24.4
Assessment selected by	D	S, D (= for reading in grades 1 and 2)	S, D	S
Waiver/override provision given to	*	State board shall rule under which "limited" circumstances a pupil can be promoted without achieving the levels on the state reading, writing, math, and science assessments stated in the district's pupil progression plan. Districts "must consider an appropriate alternative placement for a student who has been retained 2 or more years." In case of 4th-grade retention because of reading deficiency, "[t]he local board may exempt a student from mandatory retention for good cause."	*	*
Competency levels set by	SMB	DB, State Commissioner (for state assessments "at selected grade levels")	SB	SB
Grade levels/subjects targeted	4/M,R,W; 8/R, M; 11/R, M (beginning 2002-2003)	?/R, ?/W, ?/SC, ?/M (Information not available from state at time of preparation of this table.)	3/R, W, M; 8/R, W, M	4/M, E, SC, SS; 8/M, E, SC, SS
Students in other grade levels may be retained	Code allows other "promotion gates" besides 4, 8, and 12 grade to be established by Superintendent.	*	"Nothing in this Section shall prevent school districts from implementing testing and remediation policies for grades not required under this Section."	*
Considerations in retention decision	LEP- or disabled pupils not held to testing standard; age of student considered, in elementary grades, "classroom evidence."	State board rules allowing exceptions to pupil promotion legislation must "specifically address the promotion" of LEP pupils and pupils with disabilities.	Pupil in bilingual program less than 3 years exempted from state test if it is determined by English proficiency test that language would keep him from understanding test.	*
District role (besides administering local assessments, where applicable)	Not applicable	Creating plan, which must include "[s]tandards for evaluating each pupil's performance, including how well he or she masters the performance standards approved by the state board, Set performance levels for promotion (including for state assessments in reading, writing, math, and science.)	Creating plan	Setting promotion criteria

Provisions	DC	FL	IL	LA
Other criteria by which student may be retained	*	*	Teacher judgment, promotion/retention decisions in any classes "to be based on successful completion of the curriculum, attendance, performance based on the Illinois Goals and Assessment program tests, the Iowa Test of Basic Skills, or other testing or any other criteria" adopted by the local board.	"The governing body of each school with students required by law or a rule of the State Board of Elementary and Secondary Education to participate in the Louisiana Educational Assessment Program shall develop a policy with the participation and input of the committee provided for in this Subsection [see "Other" in this table] which shall, at a minimum, conform to any rule adopted by the state board…regarding pupil promotion." Decision to promote or retain student made by student's teacher. "Each such governing body may review promotion and placement decisions in order to insure compliance with its established policy. Review may be initiated by the governing body, the superintendent, or a student's parent or guardian."
Early identification provision	*	*	"The parent or guardian of a student required to attend a remediation program…shall be given written notice of that requirement by the school district a reasonable time prior to commencement of the remediation program that the student is to attend."	*

Provisions	DC	FL	IL	LA
Remediation required and/or methods proposed in policy	•	Pupil who scores below district standard on state test "must be provided with additional diagnostic assessments to determine the nature of the student's difficulty and areas of academic need." School and pupil's parent/guardian must together create and "implement an academic improvement plan" to help student reach district/state proficiency levels. "Each plan must include the provision of intensive remedial instruction in the areas of weakness." If later evaluation shows the deficiency has not been corrected, pupil may be retained. Each pupil who does not meet the Commissioner of Education's performance standards for the 4 statewide assessments must continue remedial or supplemental instruction until standards "are met or the student graduates from high school or is not subject to compulsory school attendance." High school remedial classes may not be used as English and math credits for graduation. District board's policy must also specify that pupils who score below district standard on state assessments and/or other measures receive remediation "or be retained within an intensive program that is different from the previous year's program and that takes into account the student's learning style…School boards shall allocate remedial and supplemental instruction resources first to students who fail to meet achievement performance levels required for promotion." 1st- and 2nd-graders "who [exhibit] substantial deficiency in reading skills… must be given intensive reading instruction immediately following the identification of the reading deficiency." Reading skills must be reassessed at the beginning of the grade following intensive reading instruction; intensive reading instruction must continue until deficiency is remedied. If deficiency is not remedied by end of 4th grade, and if the student scores below the district standard on the state reading assessment, he must be retained.	Yes, if pupil is deemed to be working at 2 grade levels or more below current grade level. Methods may include, but not limited to "increased concentrated instructional time, a remedial summer school program of not less that 90 hours, improved instructional approaches, tutorial sessions, retention in grade, and modifications to instructional materials;" pupils to enroll in and attend whichever plan the district deems best.	"The Department [of Education] shall establish, subject to the approval of the State Board… the nature and application of various intervention options" for students who do not show proficiency, "which may include remediation, retention in grade, an alternative placement in succeeding grades, or any other option which will support a student's achieving the required proficiency level." Section (G)(4)(A) states that students who score below required level on "the state administered criterion-referenced tests of the Louisiana Educational Assessment Program shall be offered education programs designed to accelerate progress" and comply with state board regulations. "Such programs shall include, at a minimum, the offering of a summer school remediation program to all students who do not met the minimum achievement level to be fully promoted to the fifth or ninth grade…" "Summer school remediation programs as required in this Section shall meet minimum requirements as established by…the State Board…" "Local school boards may require students who fail to meet the required…level on a test necessary for promotion…to attend a remediation program, including…the summer remediation program, but shall exempt any student whose parent or guardian signs a form which states, at a minimum, all of the following: (i) That [he] understands that the student has failed to meet the required achievement level for promotion to the next grade. (ii) That a summer school remediation program is being offered by the district to improve the skills of students who have failed to meet the required achievement level. (iii) That the parent or guardian will take the responsibility of remediation to help the student improve his skills necessary for meeting the required achievement level on the test. (iv) That the student will not be fully promoted to the next grade level unless a retest is taken and the student obtains the required achievement level."

Provisions	**DC**	**FL**	**IL**	**LA**
District may establish curricula and competency levels above state criteria	Not applicable	•	•	•
Other		"No student may be assigned to a grade level based solely on age or other factors that constitute social promotion."	"Districts may combine students in remediation programs where appropriate and may cooperate with other districts in the design and delivery of those programs... The State shall be responsible for providing school districts with the new and additional funding, under Section 2-3.51.5 or by other or additional means, that is required to enable the districts to operate remediation programs..."	In setting proficiency levels and intervention options for the 4th and 8th grades, as well as other grades not held to this retention standard, the Department is to create "a process for consistently seeking and considering input from teachers, administrators, city and parish school board members, legislators, parents, business leaders, and other persons in the community..." District boards also to create committees "representative of the parents of the school district." Each committee to participate in the development of the pupil progression plans. 1999 Senate Concurrent Resolution 55 requires "all schools having a fourth and eighth grade to hold a public meeting, during the 1999-2000 school year, to inform parents of the high stakes testing component of the new School and District Accountability System and the consequences for every student who receives an unsatisfactory test score on the state's criterion-referenced tests. "Be it further resolved that the Legislature...directs the State Board...to include in such requirement of public schools provision for personal and direct contact with the parents of each student to inform them of the high stakes test, the preparation their child will need to achieve at a required level, and the impact these tests may have on the student."

Michigan—Oklahoma

NOTE: In Nevada (NEV. REV. STAT. ANN. § 389.015), school boards are to administer examinations to "determine the achievement and proficiency of pupils in (a) Reading, (b) Writing, (c) Mathematics, and (d) Science" before the end of grades 4, 8, 10, and 11 (lattermost exam is high school exit exam, not considered in this Clearinghouse Note.) "Different standards of proficiency may be adopted for pupils with diagnosed learning disabilities." Pupil who does not "demonstrate at least adequate achievement on the examination…may be promoted to the next higher grade, but the results of his examination must be evaluated to determine what remedial study is appropriate." State board required to "prescribe standard examinations of achievement and proficiency to be administered," but math, reading, and science exams "must be selected from examinations created by private entities and administered to a national reference group, and must allow for a comparison of the achievement and proficiency of pupils in grades 4, 8, and 10 in this state to that of a national reference group of pupils in grades 4, 8, and 10."

Provisions	**MI**	**MS**	**NM**	**NC**	**OH**	**OK**
Code citation(s)	1999 HB 4301	MISS. CODE ANN. § 37-16-7. Legislation gives authority to state board to "establish student proficiency standards for promotion to grade levels leading to graduation." **The state board policy was being written as of early August 1999.**	N.M. STAT. ANN. § 22-2-8.5	North Carolina State Board of Education Policy Reference and ID # 01A108 (APA Policy NCAC6D.0305) (State board charged with creation of "[s]tandards for student performance and promotion, based on the mastery of competencies," in N.C. GEN. STAT§ 115C-81.)	OHIO REV. CODE ANN. § 3313.608 (see also "Other" regarding § 3301.0711)	OKLA. STAT. ANN. tit. 70, § 24-114.1; § 1210.508C, (for § 1210.508E, see also "Grade levels/subjects targeted," "Waiver/override provision given to," and "Remediation required and/or methods proposed in policy")
Assessment selected by	SAAI	Unknown	S—but language does not specifically mention state assessment: "The state board shall identify measurable essential competencies and determine the criteria for mastery of the essential competencies as established in the state educational standards."	S, D (for assessment of writing progress for 5th and 8th graders scoring below 2.5 on 4th- and 7th-grade state writing assessment)	S	S

Provisions	MI	MS	NM	NC	OH	OK
Waiver/override provision given to	•	Panels of teachers will oversee promotion/retention decisions.	Students already retained one year under this policy, parent signature on waiver	Teachers or parent who signs off on waiver. Teachers must present documentation of student performance, which may include "Student work samples; other test data; information supplied by parents; for students with disabilities, information that is included in the [IEP]; other information that verifies that a student is at grade level. (Students with disabilities shall be at grade level or be making adequate progress to meet requirements at upper elementary levels.)" "A committee shall be appointed to review student waiver requests. This committee, composed of teachers and principals from other schools or the central office staff, shall make recommendations to the student's principal about whether the student should be promoted to the next grade. This recommendation is based on [teacher documentation]. Special education personnel shall be on the committee if a student with a disability is being considered for a waiver. Parents of any student being presented for review shall have the right to be a non-voting participant, and further shall have the right to speak on behalf of their child." Also see "Other."	•	APP, § 1210.508E allows pupil's teacher to recommend pupil's promotion to 4th grade "contingent upon the participation in and successful completion of the required competencies by the student at a summer academy."

Provisions	**MI**	**MS**	**NM**	**NC**	**OH**	**OK**
Competency levels set by	DB	SB	SB	SB, DB, however, "school principal, in consultation with teacher(s)," may choose to retain student who scores at Level III or higher on state assessments targeted by SB.	SB	•
Grade levels/subjects targeted	K/R, 1/R, 2/R, 3/R	3/unknown, 7/unknown (Students will be promoted from these grades if they do not meet state benchmarks; they will be retained if they cannot meet 3rd- and 7th-grade benchmarks at the end of the 4th and 8th grades.)	1-8/R	3/R, M, 5/R, M, W, 8/R, M, W (state writing assessment given in grade 4 and 7; students scoring below 2.5 on assessment who do not make "adequate progress" in writing in 5th or 8th grade, respectively, will be retained.)	4/R	3/R, § 1210.508C states that one year after implementation of act (enacted June 1999), section shall "apply to 4th-grade students being promoted to 5th grade. Each year thereafter the requirements shall be expanded by one grade level until the requirements apply to 3rd-grade through 8th-grade students."
Students in other grade levels may be retained	•	Unknown	•	•	•	•
Considerations in retention decision	•	Unknown	Student shall be retained no more than one year in the same grade.	LEP students no longer exempt from exclusion in state testing program may obtain "waiver of up to two additional years...if their English language proficiency is below Superior in reading and writing[.]...[C]ommittee of teachers shall examine the student's instructional portfolios to determine that that: the students English language proficiency is the cause of their inability to perform at grade level on the required test; [and] documentation indicates that the students are making adequate progress in all academic areas to be promoted to the next level." See also "Waivers..."	Any student receiving special education services or charter school student identified as having a disability can, under certain circumstances, be excused from taking the test, and thus not held to this law. If a student's principal and reading teacher agree that child is "academically prepared" for 5th grade, he may be promoted.	•

Provisions	MI	MS	NM	NC	OH	OK
District role (besides administering local assessments, where applicable)	•	Unknown	•	Districts are to set their own promotion and retention policies, "but shall include statewide student accountability standards at grades 3, 5, 8, and high school. At a minimum, each local board of education shall adopt procedures to ensure that students are treated fairly. The policy shall recognize the statutory authority of the principal to make promotion decisions. "Local boards of education policies shall be consistent with statewide student accountability policies. The policies shall include notification and involvement of parents and agreement of parent expectations signed by parents or guardians."	•	Each district is to submit a plan to the state board annually, outlining "how each school site will comply with [this] act."
Other criteria by which student may be retained	•	Unknown	•	•	•	•
Early identification provision	•	Unknown	•	Students who score below 2.5 on 4th- or 7th-grade writing assessments are given a year to show "adequate progress" in writing before liable for retention because of lack of writing proficiency.	Districts are to test reading skills of students in grades 1-3 to identify those who are reading below grade level and target them for remediation.	Students shall be tested in grades K-3 to identify students reading below grade level; only 3rd graders at risk of retention.

Provisions	MI	MS	NM	NC	OH	OK
Remediation required and/or methods proposed in policy	Department must "(a) Develop a model summer reading program for students who will be attending grades 1 through 4 in the following school year and who have demonstrated the need for additional reading skills training… The model reading program shall be in conformance with the national education goals and shall also meet criteria for DED-OESE, Title I program funding."	After students in grades 3 and 7 perform below state benchmarks on the designated assessment(s), they will receive a year of remediation. No further details are available at this time.	Yes, tutoring or summer programs. "Upon certification by the school district that the student has successfully mastered his areas of deficiency, he shall enter the next higher grade."	4th- and 7th-graders scoring below 2.5 on writing assessment shall receive "intervention and assistance to develop writing skills." "Students scoring below Level III on [3rd, 5th, or 8th-grade] test are given a second test within a reasonable amount of time from the receipt of test results. Parents may request that their child be excused from the second administration of the test. In this case, the parents and child accept participation in focused intervention… "Students who are not promoted after the second or third administration of the test shall be given focused intervention of a time period that is instructionally sound. Strategies may include but are not limited to alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention." Continued at "Other".	Yes, district shall "provide intervention services to each student reading below grade level. (2) For each student identified as reading below grade level at the end of third grade, the district shall offer intense remediation services during the summer following third grade. (3) For each student entering fourth grade after July 1, 2001, who does not attain the score designated [as proficient] on the [reading test], the district also shall offer intense remediation services, and another opportunity to take that test, during the summer following fourth grade." Parents and classroom teacher are to help develop the intervention strategy, and shall be offered "the opportunity to be involved in the intervention services."	Yes, K-3 pupils whose reading tests indicate reading level below grade level shall receive a "reading assessment plan," to include, but not limited to "(1) Sufficient additional in-school instructional time for the development of reading and comprehension skills of the student," (2) If necessary, after-school, Saturday, and summer tutorials; and "(3) The five essential elements of reading instruction: phoneme awareness, phonics, spelling, reading fluency and comprehension." Program "shall continue until the student is determined not to be in need of remediation in reading." Districts to create committees of "educators, which if possible shall include a reading specialist, to determine the reading assessment plan for each student for whom one is necessary. A parent or guardian shall be included in the development of the reading assessment plan for that student." Third-graders shall receive a new reading assessment plan, to include "specialized tutoring and may include a recommendation" whether the student should be retained in 3rd grade. § 1210.508E: A. Teacher who believes a 3rd-grade pupil does not meet 3rd-grade promotion competencies may state that promotion depends upon "participation in and successful completion of the required competencies by the student at a summer academy." If pupil in summer school does not "successfully complete the competencies", pupil shall be retained in 3rd grade. Summer programs to be designed to ensure that participating students meet the competencies necessary for promotion to 4th grade and to enhance next-grade readiness. "B. Beginning one (1) year after implementation of this section…the requirements [of subsection A] shall be expanded apply to fourth-grade students being promoted to fifth grade. Each year thereafter the requirements shall be expanded by one grade level until the requirements apply to third-grade through eighth-grade students. Summer academy programs shall be designed for each grade level."

Provisions	MI	MS	NM	NC	OH	OK
District may establish curricula and competency levels above state criteria	•	Unknown	•	Yes	•	•

Provisions	MI	MS	NM	NC	OH	OK
Other	Department shall "(c)[d]evelop and disseminate reading readiness kits to parents of students in preschool and kindergarten to provide parents with information about how they can prepare their children for reading success (d) Develop and make available a statewide resource guide of public and private service providers to assist parents in improving their children's reading skills."		School district to pay for grade 1-8 remediation programs. Parent or guardian to pay for grade 9-12 summer and after-school remediation programs, however, "where parents are determined to be indigent according to guidelines established by the state board, the local board shall bear those costs." In §1210.508D of Title 70, district to be paid up to $150 by the state for each first- through third-grader who needs remediation in reading. Student "who fails to master the essential competencies for two successive years shall be referred to an alternative program designed by the school district. Alternative program plans shall be filed with the state board."	Districts to provide "focused intervention to all students not meeting statewide student accountability standards." Intervention shall involve "extended instructional opportunities which are different and supplemental and which are specifically designed to improve these students' performance to grade level proficiency. Pupils not promoted to have "personalized education plans with the following components: diagnostic evaluation; intervention strategies; [and] monitoring strategies" (listed in "Remediation.") Students with disabilities are to participate, "to the extent possible," in state testing program, though IEP team may exempt student, if they determine "that the students do not have the ability to participate. . However, they shall be enrolled in a functional curriculum and demonstrate acceptable outcomes on alternative assessments." LEP pupils not held to test standard; rather, promoted on basis of improvement in English proficiency and all academic areas as documented in "an instructional portfolio" submitted to committee.	§ 3301.0711 concerns state reading tests administered to 4th- and 6th-graders, and tests of 12th-graders. States that "Except as provided in section 3313.608 of the Revised Code and division (M) of this section, no school district board of education shall permit any student to be denied promotion to a higher grade level solely because of the student's failure to attain a specified score on any test administered under this section. However, a district board may choose not to promote to the next grade level any student who does not take any proficiency test administered under this section or make up such test... and who is not exempted from the requirement [LEP students enrolled in U.S. schools for less than two years and any student receiving special education services.)	"A parent or guardian of the student shall be included in the retention consideration."

Puerto Rico--Wisconsin

Provisions	**Puerto Rico**	**SC**	**TX**	**WI**
Code citation(s)	P.R. LAWS ANN. tit. 3, 17A II § 392b (see also tit. 3, 17A VII § 397f at "District role")	S.C. CODE ANN. § 59-18-500 (§ 59-5-65 concerns retention on basis of Basic Skills Assessment Program, which has been supplanted by new PACT assessment program)	TEX. EDUCATION CODE ANN § 28.0211	WIS. STAT. ANN. § 118.30
Assessment given by	Determined by Secretary of Education	S	S	SAAI, D (Department of Education "shall adopt or approve examinations designed to measure pupil [subject competency]," but "Each board operating elementary grades may develop or adopt its own examination" to measure subject proficiency in 4th and 8th grades. Districts which develop their own exams are not required to administer state exam, but must provide "state superintendent with statistical correlations of those [exams] with the[exams] adopted or approved by the state superintendent ... and the federal department of education approves."
Waiver/override provision given to	*	See "Considerations"	Parent may submit waiver request to grade placement committee; "district shall give the parent or guardian written notice of the opportunity to appeal. The grade placement committee may decide in favor of a student's promotion only if the committee concludes, using standards adopted by the board of trustees, that if promoted and given accelerated instruction, the student is likely to perform at grade level. A student may not be promoted on the basis of the grade placement committee's decision unless that decision is unanimous. The commissioner by rule shall establish a time line for making the placement determination ... The decision of the grade placement committee is final and may not be appealed."	"Upon the request of a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered under this section."

Provisions	**Puerto Rico**	**SC**	**TX**	**WI**
Competency levels set by	Secretary of Education	*	*	If district uses state-approved test, "basic level" in each subject area set by state superintendent. If district uses its own assessment, passing score in each subject area determined by local board.
Grade levels/subjects targeted	Grades 3, 6, 9, subjects of "general academic competence tests" determined by Secretary of Education	3/R, M, 4/R, M, 5/R, M, 6/R, M, 7/R, M, 7/R, M, 8/R, M (Later science and social studies assessments also to be given.)	3/R (3rd-graders in spring 2003), 5/R, M (5th-graders in spring 2005), 8/R, M (8th-graders in spring 2008.)	4/M, SC, R, W, geography, history; 8/M, SC, R, W, geography, history
Students in other grade levels may be retained	"The Secretary shall stipulate the basic subjects that all students must approve and the minimum skills that they must have to be promoted from one grade to another, and from one educational level to another."	"Districts' policies regarding retention of students in grades one and two remain in effect."	*	*
Considerations in retention decision	*	If a "compelling reason" exists why pupil should not be required to attend summer school or be retained, parent or pupil "may appeal to a district review panel."	In cases of special education students who do not perform satisfactorily on an assessment specified in "Grade level/subjects targeted," the Admission, Review, and Dismissal Committee is to determine: "(1) The manner in which the student will participate in an accelerated instruction program…and (2) Whether the student will be promoted or retained under this section."	*
District role (besides administering local assessments, where applicable)	P.R. LAWS ANN. tit. E, 17A VII § 397f list under the powers and duties of the General Council on Education "(8) Evaluate the Secretary's determinations on the basic subjects that any student must approve and the minimum skills he/she must have to be promoted from one grade to another and from one educational level to another, as well as the systems or methods to evaluate and grade students."	"Each district board of trustees will establish policies on academic conferences, individual student academic plans, and district level reviews. Information on these policies must be given to every student and parent. Each district is to monitor the implementation of academic plans as a part of the local accountability plan."	Adopt standards by which a student may be promoted by the grade placement committee despite having failed an assessment three times.	District to adopt pupil academic standards in subjects to be tested. However, "If the governor has issued pupil academic standards as an executive order…, the school board may adopt those standards."

Provisions	Puerto Rico	SC	TX	WI
Other criteria by which student may be retained	*	*	"This section does not preclude the retention at a grade level, in accordance with state law or school district policy, of a student who performs satisfactorily on an assessment instrument specified [in 'Grade level/subjects targeted']."	*
Early identification provision	*	Pupil/parent/school conference at start of school year.	*	*

Provisions	Puerto Rico	SC	TX	WI
Remediation required and/or methods proposed in policy	Students who score below the "minimum grade required to pass these tests shall receive compensatory help or special tutoring during the school vacation period or the extended schedule," and shall retake tests before the start of the next school term. If pupil does not pass, he shall not be promoted. "In these cases, the School Director shall provide the students with the teachers, resources, and materials they need in order to acquire the required knowledge and skills. The School Director shall authorize the promotion of the students when the central level certifies that the students passed the test for the grade or level. "The Secretary shall establish by regulations the procedures and standards that will apply to the students who do not pass said tests. He/she shall be responsible for providing educational options to prevent them from dropping out in the event of a second failure. "In the case of students who are not able to acquire the required knowledge and skills, and cannot pass the corresponding test for promotion from one level to another the second time it is offered, they shall be offered all the resources and orientation to direct them to the area in which they have the greatest capacity and possibility of success."	(A) Pupils whose "assessment results, school work, or teacher judgment" indicate work below grade level must, with their parents, be notified of such and attend conference, at which they and school personnel "will discuss the steps needed to ensure student success at the next grade level. An academic plan will be developed to outline additional services the school and district will provide and the actions the student and the parents will undertake to further student success." (B) Conference participants sign off on the academic plan, "including any requirement for summer school attendance. Should a parent, after attempts by the school to schedule the conference at their convenience, not attend the conference, the school will appoint a school mentor, either a teacher or adult volunteer, to work with the student and advocate for services. A copy of the academic plan will be sent to the parents by certified mail. (C) At the end of the school year, the student's performance will be reviewed by appropriate school personnel. If the student's work has not been at grade level or if the terms of the academic plan have not been met, the student may be retained or he may be required to attend summer school for promotion. (D) At the end of summer school, a district panel will review the student's progress and report to the parents whether the academic progress indicates readiness to achieve grade level standards for the next grade. If the student is not at grade level or the student's assessment results show standards are not met, the student will be placed on academic probation. A conference of the student, parents, and appropriate school personnel will revise the academic plan to address academic difficulties. At the conference it must be stipulated that the academic probation means if either school work is not up to grade level or if assessment results again show standards are not met, the student will be retained. The district's appeals process remains in effect."	(See also "Other") "Each time a student fails to perform satisfactorily on an assessment instrument specified [in "Grade level/subjects targeted]… the school district…shall provide to the student accelerated instruction in the applicable subject area, including reading instruction for a student who fails to perform satisfactorily on a reading assessment instrument. After a student fails to perform satisfactorily on an assessment…a second time, a grade placement committee shall be established to prescribe the accelerated instruction the district shall provide to the student before the student is administered the assessment…the third time. Accelerated instruction groups shall have no more than 10 students per teacher. Students who have not performed satisfactorily on an assessment three times shall receive "accelerated instruction during the next school year as prescribed by an educational plan developed for the student by the student's grade placement committee…The district shall provide that accelerated instruction regardless of whether the student has been promoted or retained. The educational plan must be designed to enable the student to perform at the appropriate grade level by the conclusion of the school year. During the school year, the student shall be monitored to ensure that the student is progressing in accordance with the plan. The district shall administer to the student the assessment… for the grade level in which the student is placed at the time the district regularly administers the assessment… for that school year."	•

Provisions	Puerto Rico	SC	TX	WI
District may establish curricula and competency levels above state criteria	*	*	*	Yes
Other		At the beginning of each school year, beginning with the 1998-99 year, students and parents are to be called in to a conference if student is performing below grade level as indicated not only by assessment results, but also "school work" or "teacher judgment." "(F) The State Board of Education, working with the Oversight Committee, will establish guidelines until regulations are promulgated to carry out this section."	Students who fail a test are to be given two additional opportunities to take/pass it. "A school district may administer an alternate [test] to a student who has failed a [test specified above] on the previous two opportunities. Notwithstanding any other provision of this section, a student may be promoted if the student performs at grade level on an alternate [exam]…that is appropriate for the student's grade level and approved by the commissioner." Pupil who fails assessment 3 times must be retained. "The grade placement committee shall be composed of the principal or [his] designee, the student's parent or guardian, and the teacher of the subject [in which the pupil failed the test]. The district shall notify the parent or guardian of the time and place for convening the grade placement committee and the purpose of the committee." Parents must also be told that child performed inadequately on assessment, "the accelerated instruction program to which the student is assigned," and that child might be retained at grade level in the coming school year. Whenever district is required to notify parent/guardian, "the district shall make a good faith effort to ensure that such notice is provided either in person or by regular mail and that the notice is…easy to understand and is written in English or the parent or guardian's native language." "The commissioner shall adopt rules as necessary to implement this section…The commissioner shall issue a report to the legislature not later than December 1, 2000, that reviews the enrollment of students in accelerated instruction and the quality and availability of accelerated instruction programs, including accelerated instruction-related teacher professional development programs.	Pupils who fail state exam shall be given at least two more opportunities to pass exam. Special education students are to be included in these assessments, "with appropriate modifications where necessary, or in alternative assessments for those children who cannot participate in statewide or local educational agency-wide assessments" (§ 115.77). However, school boards must develop "alternative criteria for evaluating a special education pupil who did not take" an assessment required for promotion. Local board may choose not to assess LEP student as defined in § 115.955(7) ("a pupil whose ability to use the English language is limited because of the use of a non-English language in his or her family or in his or her daily, nonschool surroundings, and who has difficulty, as defined by rule by the state superintendent, in performing ordinary classwork in English as a result of such limited English language ability"), or "may permit the pupil to be examined in his or her native language or may modify the format and administration of an examination for such pupils." "The department shall study the utility of administering technology-based performance assessments to students."

PART II: Promotion/retention based on other factors

Not expressly assessment-based; determined both by state board and local board requirements:

ARIZONA–

- ARIZ. REV. STAT. § 15-701: "A. The state board of education shall: … Prescribe competency requirements for the promotion of pupils from the eighth grade and competency requirements for the promotion of pupils for the third grade incorporating the essential skills in at least the areas of reading, writing, mathematics, science and social studies… B. Pursuant to the guidelines which the state board of education distributes, the governing board of a school district shall:…2. Prescribe criteria for the promotion of pupils from grade to grade in the common schools in the school district. These criteria shall include accomplishment of the essential skills in at least reading, writing, mathematics, science and social studies, as determined by district assessment. Other criteria may include additional measures of academic achievement and attendance. C. The governing board may prescribe the course of study and competency requirements for promotion which are in addition to or higher than the course of study and competency requirements which the state board prescribes." ***See also AZ entry in assessment-based policy table above.***

CALIFORNIA–

- CAL. EDUC. CODE § 48070: "The governing board of each school district and each county superintendent of schools shall adopt policies regarding pupil promotion and retention. A pupil shall be promoted or retained only as provided in the policies adopted pursuant to this article." ***See also CA entry in assessment-based policy table above.***

MARYLAND–

- MD CODE ANN., EDUC. § 7-205: "(a)...The promotion of students in a public school and graduation from a public high school shall be in accordance with: (1) Policies established by the county board; and (2) The rules and regulations of the State Board."

MISSOURI–

- 1999 HB 889 [Section 5]: "1. School districts may adopt a policy with regard to student promotion which may require remediation as a condition of promotion to the next grade level for any student identified by the district as failing to master skills and competencies established for that particular grade level by the district board of education. School districts may also require parents or guardians of such students to commit to conduct home-based tutorial activities with their children or, in the case of a student with disabilities eligible for [special education services], the individual education plan shall determine the nature of parental involvement consistent with the requirements for a free, appropriate public education.

  "2. Such remediation shall recognize that different students learn differently and shall employ methods designed to help these students achieve at high levels. Such remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such activities conducted by the school district outside of the regular school day. Decisions concerning the instruction of a child who receives special educational services…shall be made in accordance with the child's individualized education plan…

  "4. Any student scoring at the lowest level of proficiency, in any subject, at any grade level under the statewide assessment…shall be required to retake that assessment in the following year.

  "5. The State Board of Education shall establish by administrative rule a method for determining effectiveness of the remediation to students identified pursuant to subsection 4 of this section. Such rule shall make allowances for students who have recently entered the school district."

  Ibid., [Section 9]: "No public school student shall be promoted to a higher grade level unless that student has a reading ability level at or above one grade level below the student's grade level; except that the provisions of this subsection shall not apply to students receiving special education services…"

NORTH CAROLINA–

- N.C. GEN. STAT. § 115C-81: Requires the state board to implement the “Basic Education Program,” which “shall include course requirements and…(4) Standards for student performance and promotion based on the mastery of competencies…that take into account children with special needs and, in particular, include appropriate modifications.”

Expressly the decision of the local school board/school committee/superintendent:

KENTUCKY–

- KY REV. STAT. ANN § 158.140 [from Opinions of Attorney General]: "Retention and promotion of pupils is entirely a matter of local board of education policy and not a matter for control by parents. Parents do not have a right to demand that a child be retained at a particular grade level for any reason, and especially not for athletic purposes. OAG 82-473."

- § 160.290 [from Opinions of Attorney General]: "Boards of education under their general powers may establish reasonable policies for the retention, demotion and promotion of pupils, including requiring that pupils passed by their teachers move on to the next higher grade. OAG 75-603."

MASSACHUSETTS–

- MASS. ANN. LAWS ch. 71, § 37: "The school committee in each city and town and each regional school district shall have the power...[Notes] 6. Over students...Duty of care and management of public schools, which is vested in school committee under this section, includes the right to establish and maintain standards for promotion of pupils from one grade to another and for their continuation in any particular grade."

MINNESOTA–

- MINN. STAT. ANN. § 126.681: "Each school district shall provide a testing program for the purpose of measuring pupil growth and for curriculum evaluation, as well as a system for grading and making reports to parents. Each district shall develop an appropriate program of pupil progress and promotion for its elementary, middle, and secondary schools."

NEW JERSEY–

- N.J. STAT. ANN. § 18A: 35-4.9.: "Local boards of education shall adopt policies and procedures for: a) Pupil promotion and remediation, related to district goals, objectives and pupil proficiency; b) Notification to parents of policies and procedures for student promotion and remediation and to pupils, where appropriate; c) Notification to parents and pupils, at appropriate times during the school year, of the pupil's progress in meeting the promotion and remediation standards and immediate consultation with the pupil's parent or guardian if, in the teacher's judgment, there is any indication that the pupil's progress may not be sufficient to meet these standards; d) Procedures for parents and adult pupils to appeal promotion/retention decisions; and e) Procedures to ensure that parents, teachers and students, where appropriate, participate in the development of the policy."

NEW YORK–

- N.Y. EDUC. LAW § 1711, 2508 and 2566 (Consol.): All policies (the first for union-free school districts, the second for districts of cities with less than 125,000 inhabitants; and the third for districts of cities with 125,000 inhabitants or more) state that the district superintendent is "To have supervision and direction over the enforcement and observance of the courses of study, the examination and promotion of pupils..."

Based on classroom performance or attendance:

ARIZONA–

- ARIZ. REV. STAT. § 15-521: "Every teacher shall…(3) Make the decision to promote or retain a pupil in grade in a common school or to pass or fail a pupil in a course in a high school. Such decisions may be overturned only as provided in 15-342, ¶ 11."

ARKANSAS–

- ARK. CODE ANN. ·§6-18-209: "A student attendance policy may include excessive unexcused absences as a mandatory basis for denial of promotion or graduation."

CALIFORNIA–

See CA entry in assessment-based policy table above.

NEVADA–

- NEV. REV. STAT. ANN. § 392.125: (1) Before student may be retained, "the pupil's teacher and principal must make a reasonable effort to arrange a meeting and to meet with his parents or guardian to discuss the reasons and circumstances. (2) "The teacher and the principal in joint agreement have the final authority to retain a pupil…(3) No pupil may be retained more than one time in the same grade."
- State school board policy adopted in the summer of 1998 states that starting in the 1999-2000 school year, students will be required to maintain C's in math and English courses for at least one year in order to be eligible to continue to high school. The 2000-2001 school year, students will have to earn C's in math and English 1 ½ years in order to be eligible to start high school.

PENNSYLVANIA–

- Pa. Legis. Serv. 24 § 15-1532: "In school districts of the second, third and fourth class, every teacher in the public elementary or high schools shall make and keep a proper record of the work and progress of each pupil, and at the end of each term shall include, in the last monthly report required from such teacher by the provisions of this act, the grade of proficiency of each pupil and his standing in the several branches pursued by him in said school, as well as the conduct of such pupil, together with such recommendations for his promotion or retention for additional preparation as such teacher deems just and proper."

TENNESSEE–

- TENN. CODE ANN. § 49-2-203: "(b) The local board of education has the power to:…(7) Establish minimum attendance requirements or standards as a condition for passing a course or grade; provided, that such requirements or standards are established prior to any school year in which they are to be applicable, are recorded in board minutes and publicized through a newspaper of general circulation prior to implementation, and are printed and distributed to students prior to implementation" and do not violate code referring to the education of hospital- or homebound students.
- § 49-5-201: "(a) It is the duty of the teacher to:…(9) Follow the state course of study and the rules and regulations for the promotion of pupils furnished by the commissioner of education."

TEXAS–

- TEX. EDUCATION CODE ANN. § 28.021: "(a) A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. (b) In measuring the academic achievement or proficiency of a student who is dyslexic, the student's potential for achievement or proficiency in the area must be considered."

Other state action:

HAWAII–

- 1999 House Resolution 196 (adopted April 15, 1999) asks that the Governor establish a task force, whose members should be chosen no later than July 31, 1999, to make "recommendations on the development and honing of strong academic standards, meaningful assessment testing, and consequences for both favorable and unfavorable results…" Members should be chosen from the various islands and interest groups and should report its findings to the Legislature "no later than 20 days prior to the convening of the Regular Session of 2000."

- 1999 House Concurrent Resolution 218 (adopted April 26, 1999) repeats the charge of Hawaii's 1999 HR 196.

TENNESSEE–

- 1999 TN HB 676: Creates "Tennessee Literacy Initiative Act of 1999." "(a) The Office of Education Accountability in the Office of the Comptroller, with the assistance of the Tennessee Department of Education and the State Board of Education shall evaluate the reading proficiency of Tennessee's elementary schoolchildren and shall make recommendations to ensure that each child can read at an appropriate level before leaving the third grade. (b) The report shall include any relevant test data from Tennessee and shall include a listing of all pilot projects and grants administered by the Department of Education that promote literacy in Tennessee's K-12 public schools. The report shall also include information on other states' efforts to increase reading proficiency in grades K-6." Results to be issued no later than November 1, 1999.

TEXAS–

- TEX. EDUCATION CODE ANN. § 25.085: "(d) Unless specifically exempted by § 25.086, a student enrolled in a school district must attend: (1) an extended-year program for which the student is eligible that is provided by the district for students identified as likely not to be promoted to the next grade level or tutorial classes required by the district under § 29.084; (2) An accelerated reading instruction program to which the student is assigned under § 28.006(G); (3) An accelerated instruction program to which the student is assigned under § 28.0211; or (4) a basic skills program to which the student is assigned under § 29.086."

- § 29.082: Creates the "Optional Extended Year Program," (a) for students in grades K-8 "who are identified as likely not to be promoted to the next grade level for the succeeding school year. (b) The commissioner may adopt rules for the administration of programs provided under this section. (c) A school district may not enroll more than 16 students in a class provided under this section. (d) Each class provided under this section shall be taught by a teacher who has completed successfully a program that provides training to teach a class under this section and that satisfies standards the commissioner establishes. (e) A student who attends at least 90 percent of the program days of a program under this section and who satisfies the requirements for promotion prescribed by § 28.021 shall be promoted to the next grade level at the beginning of the next school year unless a parent of the student presents a written request to the school principal that the student not be promoted to the next grade level. As soon as practicable after receiving the request from a parent, the principal shall hold a formal meeting with the student's parent, extended year program teacher, and counselor. During the meeting, the principal, teacher, or counselor shall explain the longitudinal statistics on the academic performance of students who are not promoted to the next grade level and provide information on the effects of retention on a student's self-esteem and on the likelihood of a student dropping out of school. After the meeting, the parent may withdraw the request that the student not be promoted to the next grade level. If the parent of a student eligible for promotion under this subsection withdraws the request, the student shall be promoted. If a student is promoted under this subsection, the school district shall continue to use innovative practices to ensure that the student is successful in school in succeeding years. (f) A school district that provides a program under this section shall adopt a policy designed to lead to immediate reduction and ultimate elimination of student retention. (g) A school district shall provide transportation to each student who is required to attend a program under this section and who is eligible for regular transportation services."

- § 29.084: "(a) Each school district may provide tutorial services at the district's schools. (b) A district that provides tutorial services shall require a student whose grade in a subject reporting period is lower than the equivalent of 70 on a scale of 100 to attend tutorials. (c) A district may provide transportation for a student to attend tutorial services and who is eligible for regular transportation services.

VIRGINIA–

- 1999 VA Senate Joint Resolution 498: Establishes the Commission on Educational Accountability, which, among its many charges, is to "(x) examine…the effect of the Standards of Learning tests on grade promotion and retention of students and the awarding of high school diplomas, and the remediation of students who fail the Standards of Learning tests, in accordance with House Joint Resolution 721 (1999)."

Compiled by Jennifer Dounay, research associate, ECS Information Clearinghouse

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Common State Strategies to Improve Student Reading

July 1999

The following list represents strategies states are using to improve student reading performance. The list, however, is not a comprehensive summary.

1. Preventing and Intervening with Reading Difficulties

- Providing grants for or requiring districts to provide intervention and remedial services, especially to at-risk students
- Requiring intensive reading instruction and interventions for students who do not meet reading standards, including summer school, extended-day or tutoring programs
- Requiring or encouraging districts to place a greater emphasis on improving reading skills for K-3 students
- Requiring districts and schools to develop individual reading plans for students who fail to meet grade-level standards
- Creating grant programs for districts (some target low-income districts) to improve reading performance through intensive reading instruction, reading academies or other related initiatives such as extended-day programs, small-group reading instruction, teacher professional development or hiring reading specialists
- Providing grants that use volunteers to improve student reading
- Establishing reading centers at universities to assist districts in identifying, assessing and providing instructional intervention programs to students with reading difficulties
- Increasing parental involvement and providing better information to improve their child's reading skills (including the importance of early brain development)
- Requiring education and human service agencies to develop plans for early education services to ensure that all children will read by the end of 3rd grade

2. Imposing Consequences for Students Who Do Not Meet Reading Standards

- Preventing students from advancing into 4th grade reading classes if they fail to pass the 3rd grade reading exam
- Retaining students who do not meet grade-level standards for reading and/or requiring their participation in summer reading programs

3. Promoting or Mandating Particular Reading Approaches or Programs

- Providing funds for schools to expand and improve reading programs, and mandating that such programs should include, but not be limited to phonics
- Requiring or encouraging districts to use a balanced approach to reading instruction and a variety of reading programs
- Providing funds and/or training for particular reading programs (i.e., Reading Recovery)
- Requiring, encouraging or providing funds for districts to adopt reading programs and approaches that research has shown to be effective

4. Providing Additional or Better Data

- Requiring districts to report the percentage of students who meet and do not meet reading standards, as well as the progress of students over time
- Requiring districts to report test score comparison data among different reading programs and identify which programs are used in each classroom
- Requiring state departments to collect and analyze data on student reading performance and report this information to the legislature and public
- Issuing reading report cards for each elementary school to the public
- Reporting the number of preservice teachers who take and pass the state reading assessment

5. Providing Teachers with Skills and Knowledge

- Requiring schools or districts to develop professional development plans that improve elementary teachers' ability to teach reading
- Requiring teachers to pass reading instruction competency tests before receiving certification or recertification
- Increasing number and quality of reading courses in teacher education programs and those required for certification
- Creating partnerships with universities, colleges and/or regional service centers to offer teacher professional development
- Providing professional development funding for research-based systematic phonics or particular reading programs (i.e., Reading Recovery)
- Reviewing teacher preparation programs to assure that course offerings and graduation requirements match state goals for student reading performance
- Providing training to help teachers use new or current reading assessments to identify student reading levels, diagnose potential difficulties and determine appropriate reading strategies

6. Setting Standards, Developing Reading Plans and Assessing Student Reading Performance

- Mandating that districts set kindergarten reading readiness goals, reading standards for the primary grades and/or for grades 4-8
- Requiring or encouraging districts to diagnose reading readiness, skills and progress
- Requiring K-3 students to be tested periodically for mastery of reading skills
- Providing district guidelines for selecting reading assessments
- Requiring districts to determine if reading instruction and programs have resulted in students' mastery of reading skills and to identify more effective strategies if a certain percentage of students fail to meet the standards
- Requiring or encouraging districts to develop plans that improve and maintain students reading skills beyond the basics, such as comprehension, vocabulary and writing
- Requiring schools to develop plans to assure all 3rd graders are reading at grade level and/or to increase the percentage of students who meet or exceed reading standards
- Establishing reading rewards programs to recognize schools that demonstrate significant reading gains

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Summary of State Policies to Improve Student Reading

Education Commission of the States
October 1999

The following information highlights activities undertaken by state leaders to address student reading issues. It is not, however, a comprehensive summary of all state policies.

In addition to the following actions, several states are requiring students to demonstrate reading and other proficiencies before proceeding to the next grade level, and some states have specific policies on phonics and whole-language instruction. ECS has information on these topics, as well as a policy brief on what state leaders should know about student reading.

Alabama

Resulting from the work of the Alabama Reading Panel, the State Board of Education adopted the Alabama Reading Initiative in 1997. The initiative targets reading performance on three fronts: (1) beginning reading in K-1, (2) expansion of reading skills for students in grades 2-12 and (3) effective intervention for all grades. The initiative includes 16 demonstration sites at elementary schools. Teachers receive two weeks of intensive professional development to learn how to identify and correct students' specific reading problems. Each site has established a partnership with a college or university to provide ongoing support and training. The education department's *Report on the Review of Research* (1998) defines research-based, effective instruction and forms the basis for the initiative's teacher development programs.

Arizona

H.B. 2293 (1998) required school boards to determine the percentage of 4th grade students that score below the "basic" category based on the statewide reading achievement test. If more than 20% of 4th graders score below the basic level, the school board must conduct a curriculum review. The review evaluates effective pedagogical techniques such as (a) Spalding, (b) direct instruction, (c) Success for All, (d) whole language, (e) Reading Recovery and (f) other appropriate reading education approaches. Based on the review, the board and school council must develop a method of best practices for teaching reading (ARIZ. REV. STAT. sec. 15-707). Students in 3rd grade who do not meet the reading comprehension standards must be provided with intensive reading instruction until the student can meet the standard (ARIZ. REV. STAT. sec. 5-707.01).

H.B. 2130 (1998) included the following provisions:

- Teaching applicants must complete a minimum of 45 classroom hours, three college-level credit hours or training in research-based systematic phonics instruction.
- Districts must conduct a curriculum evaluation and adopt reading programs, one of which must be a research-based systemic phonics program.
- Districts must allow parents of K-3 students to select the reading program they think will most benefit their child and must accommodate every pupil based on the parent's choice.
- Districts must report a comparison of test scores among the different reading programs and identify the program used in each classroom (ARIZ. REV. STAT. sec. 15-718).
- An appropriation of $1 million was made for FY1998-99 to assist districts in the initial training and continued development of teachers in research-based systematic phonics.

Arkansas
In May 1998, the governor announced the Smart Start initiative for grades K-4 that aims to increase reading and math achievement. The main component of the initiative is professional development training that emphasizes topics related to subject matter content, curriculum alignment with the frameworks, analysis of assessment results and use of various instructional techniques. The initiative also provides funding for additional reading specialists.

In 1990, the state began training teachers in Reading Recovery, an intensive one-on-one tutoring program for at-risk 1st graders. In addition, the state developed an Early Literacy Program for grades K-3 that includes small-group instruction, as well as up-to-date teacher training on reading practices and principles.

California
A.B. 2A (1999), the Elementary School Intensive Reading Program, provided for up to 10% of 400 schools' K-4 students, to receive extra instruction, including classes during the summer, between sessions and on Saturday or after school. In addition, the bill includes the following provisions:

- Public Involvement Reading Campaign to promote reading in public schools
- Governor's Reading Reward Program to distribute $5,000 grants to K-8 schools whose students read the greatest number of books, as well as other criteria
- A teacher professional development program, the Governor's Principal Leadership Institute, an administrator preparation program and the California Reading Professional Development Institutes, to be developed by the University of California system regents.

A.B. 1178 (1995) required the Commission on Teaching Credentialing to develop, adopt and administer a reading instruction competence assessment to measure knowledge, skill and ability of first-time credential applicants relative to effective reading instruction (CAL. EDUC. CODE sec. 44283).

A.B. 3482 (1995) created the Teacher Reading Instruction Development Program, requiring K-3 teachers to possess the knowledge and skills needed to teach students to read. Funds for this program are used primarily for professional development services. The bill also created the Comprehensive Reading Leadership Program which encourages and provides funds for school districts to implement a comprehensive K-3 reading program that emphasizes basic and continued improvement of reading skills (CAL. EDUC. CODE sec. 44755-57; 53000-6; 60350-2).

Colorado
The Colorado Basic Literacy Act mandated that all students will read at 3rd-grade level by the end of 3rd grade before they can move on to a 4th-grade reading class. The act also required that the reading growth of all students be assessed regularly from K-3rd grade. Students not reading on that grade level will be placed on Individual Literacy Plans (ILPs) developed with the school and family (H.B. 96-1139; COLO. REV. STAT. sec. 22-7-501). Districts must report the following information to the state:

- Number and percentage of pupils enrolled in grade 3 reading at or are above their grade level
- Number and percentage of pupils on ILPs enrolled in the district
- Number and percentage of pupils who have increased their literacy and reading comprehension levels by two or more grades during one year of instruction.

The State Board of Education spelled out the reading proficiency levels for grades K-3 and developed requirements for selecting reading assessments. In 1997, the state adopted a reading test for 3rd graders that was first administered in March 1998 (H.B. 97-1249; COLO. REV. STAT. sec. 22-7-409).

Connecticut
In 1998, Governor John G. Rowland called for setting aside $10 million a year for the Early Reading Success Grant Program to help at-risk students bring their literacy skills up to speed. The legislature enacted H.B. 5657, doubling the appropriation to $19.5 million for FY99, and targeted the funds to the 14 poorest school systems. To receive funding, districts must develop a three-year plan for improving K-3 reading performance. While schools can use the grant dollars for reforms such as lowering class size and creating extended-day programs, at least half of the funds must go toward "intensive reading intervention" (CONN. GEN. STAT., sec. 10-221h).

Idaho

During the 1999 legislative session, the state enacted the Idaho Comprehensive Literacy Plan to improve student reading that included the following bills:

H.B. 176 amended state code to require a reading assessment for students in grades K-3. School personnel will review the state K-3 assessment results to determine necessary interventions to sustain or improve a student's reading skills. The State Department of Education will maintain and compile the results and annually report them to the state board, legislature and governor. School districts will make the results available to the public.

H.B. 177 amended state code requiring each school district to adopt an extended-year reading program, which has been approved by the State Board of Education. The programs are targeted to students identified as below grade level on reading assessments in kindergarten through 3rd grade.

H.B. 178 amended state code to require teacher preparation requirements, to require teachers to demonstrate their ability to teach reading successfully and to adopt specific requirements for renewing teacher certification.

- The state board will review teacher preparation programs to ensure that the course offerings and graduation requirements are consistent with the Idaho Comprehensive Literacy Plan.
- The state board will develop a preservice assessment measure for all K-8 teacher preparation programs to demonstrate teaching skills and knowledge congruent with current research on best reading practices.
- The state board will report the number of preservice teachers taking and passing the assessment to the legislature and governor. By September 2002, all teacher candidates must pass this assessment as part of their graduation requirements.
- Teachers and administrators in schools with grades K-8 will complete three credits of a state-approved reading instruction course in order to be recertified.
- Every school board will include coursework covering reading skills development in their inservice training plan.

Illinois

H.B. 2887 (1997) created the Reading Improvement Block Grant Program to improve reading and study skills of K-6 students. Districts can use the funds for the following purposes:

- Reduce class size in grades K-3 to provide more intensified reading instruction
- Extend the time devoted to K-3 reading instruction either by lengthening the school day or year
- Continue direct reading instruction in grades 4-6
- Establish reading academies in schools that focus on the mechanics of reading, the application of reading skills and reading literature
- Conduct intense vocabulary, spelling and related writing enrichment programs
- Increase the availability of reading specialists and teacher aides
- Train and retrain K-3 teachers to be proficient in reading instruction. (105 ILL. COMP. STAT. sec.5/ 2-3.51).

Kentucky

The Early Reading Incentive Grant Program (S.B. 186, 1998) provided funding to elementary schools to improve student reading performance. A steering committee provides grants to schools to help teachers implement reliable, replicable, research-based reading models that use balanced instructional strategies, including phonics, to address students' diverse learning needs. Local school councils or the superintendent must provide matching funds. Grants are awarded to schools based on the following criteria:

- Effectiveness of the school process for identifying needs and qualified students
- Extent and level of need
- Effectiveness of the selected reading model to meet identified needs
- Level of commitment
- Capacity to implement the model
- Quality of evaluation plan
- Effectiveness and efficiency of the budget plan (KY. REV. STAT., sec. 158.792).

Louisiana

In 1997, the legislature appropriated funds for and required each "governing authority" to implement elementary reading programs to teach students to read at grade level by no later than 3rd grade. The mandate specified that reading programs should include, but not be limited to, phonics. Within the first and last 30 days of the school year, teachers must report the number of students not reading at grade level (LA. REV. ANN. sec. 17:181). In 1998, the state board selected the Developmental Reading Assessment (DRA) as the assessment to be used to measure student reading levels and provided training to teachers on using the DRA.

Mississippi

H.B. 539 (1999) required the State Department of Education to adopt pilot programs for testing for dyslexia and related disorders in public schoolchildren. School boards shall provide remediation to students identified with such disorders.

New Hampshire

H.B. 229 (1997) established a Reading Recovery training program for 1st-grade teachers. Reading Recovery is an early intervention program that provides intensive instruction by specially trained teachers to 1st-grade students at risk of reading problems (N.H. REV. STAT. ANN. sec. 186:70).

North Carolina

Following years of debate over phonics vs. whole language, the state enacted legislation in 1996 that called for "the implementation of balanced, integrated and effective programs of reading instruction." Based on this guideline, the state board developed a comprehensive plan to improve reading achievement. In addition, several million dollars are appropriated annually to support staff development in reading and math, most of which goes directly to schools (N.C. GEN. STAT., sec. 115c-81.2).

Ohio

Initiated by Governor Bob Taft, the legislature enacted the OhioReads Initiative in 1999 by creating classroom and community reading grants (H.B. 1, 1999). A central component of the bill is to use thousands of citizen volunteers to improve student literacy. The OhioReads council, established under the act, developed criteria for rewarding grants and will evaluate the initiative's effectiveness and develop a plan for recruiting and training volunteers. The council is directed to give priority to programs recognized as promising education practices for accelerating student achievement. In addition, the legislation includes the following provisions:

- Students entering 4th grade in 2001 must pass a reading skills test to be promoted to 5th grade, some exceptions apply.
- Districts must offer 4th-grade students who fail the reading exam intense remediation services and another opportunity to take the test during the summer.
- Districts must offer intense remediation services during the summer to students identified as reading below grade level at the end of 3rd grade.

Oklahoma

H.B. 2017 (1997) created the Reading Sufficiency Act, a comprehensive plan that provides a framework to districts. The act focuses on five components of reading instruction: phonemic awareness, phonics, spelling, reading fluency and comprehension. The state will issue a reading report card annually for each school. The act also includes the following provisions:

- Multiple, ongoing assessments are used to measure 1st- and 2nd-grade students' acquisition of reading skills. A reading assessment plan will be developed for students not reading at grade level by the end of the current school year.
- Schools will establish a committee to determine a reading assessment plan for each student.
- Districts will adopt and annually update a plan that outlines how each school will comply with the Reading Sufficiency Act provisions.
- A new reading assessment plan will be developed for each 3rd grader not reading at grade level. The plan will include specialized tutoring and may include recommendations for whether a student should be retained in 3rd grade (OKLA. STAT. ANN. 70, sec. 1210.50A-C).

- The Oklahoma Commission for Teacher Preparation has the authority to develop professional development institutes that provide intensive reading instruction to elementary teachers (OKLA. STAT. ANN. 70, sec. 6-200).
- Local boards of education will establish professional development committees and programs for teachers and administrators (OKLA. STAT. ANN. 70, sec. 6-194).

H.B. 2878 (1998) modified the Reading Sufficiency Act in the following ways:
- Added kindergarten as a grade at which reading skills must be assessed
- Specified the elements of reading instruction to be included in assessment plans
- Called for a Reading Report Card for each elementary school.

Pennsylvania

The Read to Succeed (RTS) program was initiated by Governor Tom Ridge in his 1999-2000 budget, and approved and funded by the legislature (H.B. 456). Read to Succeed is a four-year, $100 million competitive grant program ($35 million for year one) targeted to school districts with students who need intensive reading instruction programs. Districts must provide matching funds at the rate of one dollar for every two state dollars. The program design includes: (1) identification of students in need in every school, (2) the provision of effective research-based instruction, (3) ongoing classroom assessment in preschool and the early grades and (4) targeted professional development for preschool and primary grade teachers. The Read to Succeed program will combine the efforts of the state and school district, parents and caregivers, family literacy programs and other community-based programs in developing research-based programs for preschool through 3rd-grade students.

Texas

S.B. 955 (1999) enacted the Ready to Read grants program to provide scientific, research-based pre-reading instruction to improve pre-reading skills and to identify cost-effective models for pre-reading intervention. The grants are targeted toward schools and other eligible entities that serve low-income preschool students. Grants from $50,000-$150,000 will be distributed for the following purposes:
- Professional development in pre-reading instruction
- Pre-reading curriculum and materials
- Pre-reading skills and assessment materials
- Employment of pre-reading instructors.

At the request of Governor George W. Bush, the Texas Education Agency (TEA) launched the Texas Reading Initiative (TRI) in 1996. One goal of the TRI is to provide schools and districts with information and resources about reading programs. District and school staffs may make their own decisions about assessments, instruction and remediation. The TRI includes the following components:
- Increasing teachers' knowledge of their students' reading skills in K-3 through assessments
- Providing research-based information on reading practices and programs to educators
- Increasing parental involvement
- Providing one-year grants to schools to fund projects that focus on the prevention of reading failure and intervention activities.

Over the past few years, the TEA worked with the Texas Center for Reading and Language Arts and the 20 regional education centers to provide professional development materials and training to reading teachers. In 1997, the legislature appropriated funds for reading academies, which are schools-within-schools, that focus on reading. They also created the Read to Succeed program for early diagnosis of reading problems in grades K-2 (TEX. [EDUC.] CODE ANN. sec. 28-.006.)

Utah

During the 1999 legislative session, the state enacted several literacy bills, including the following:

H.B. 8, a comprehensive plan which provides for the following:
- Literacy program to assist children in acquiring reading skills
- Community volunteer training program to help schools implement the literacy program

- Information kits and a public service campaign aimed at parents of newborn infants on the development of emerging literacy skills
- Statewide report on the assessment of reading skills in kindergarten in the public schools.

H.B. 63 established a reading skills development center at the University of Utah to assist districts in identifying, assessing and providing instructional intervention programs for students with reading difficulties. The bill also provides funds for a professional teacher development program.

H.B. 75 established a reading performance improvement awards program to recognize and reward elementary schools that demonstrate significant reading gains. The state board will establish the award criteria and select nine schools to receive a $1,000 reward.

H.B. 312 established a reading achievement program in 1st-3rd grade, requiring that each elementary school develop a plan to help all students read at the 3rd-grade level by the end of 3rd grade.

H.B. 67 (1997) required districts to administer a reading assessment in grades 1-6 to determine if instructional programs have resulted in students' mastering reading skills. The bill also included the following provisions:

- Reading instruction shall include practices of the following: (a) early and explicit teaching of phonetic decoding skills, (b) exposure to a wide range of quality literature, (c) writing, and (d) regular and adequate time to read a variety of materials across the curriculum.
- If students are seriously deficient in these skills, districts must provide remedial assistance to bring students up to the appropriate reading level. As part of the remediation program, parents should be offered opportunities to help improve their children's reading skills.

Vermont

In 1997, the state enacted H.B. 527 that required the state board of education, in collaboration with the agency of human services, to develop a plan for early education services to ensure that all children read by the end of 3rd grade. The bill also directed the public schools to offer early reading instruction as well as intervention when necessary (VT. STAT. ANN. 16, sec. 2903).

Virginia

S.B. 558 (1998) established the Reading Incentive Grants Program. The program awards grants on a competitive basis to schools that demonstrate low performance on reading exams (VA. CODE ANN. sec. 22.1-208.2:11).

Washington

H.B. 3305 (1999) required the State Board of Education to include phonics instructional materials on a statewide list of adopted materials, and for school districts to provide phonics materials to teachers.

H.B. 2849 (1998) included the following provisions related to reading accountability goals, through which districts were required to take the following actions:

- Establish a three-year goal to increase the percentage of students who meet or exceed the standard on the 4th-grade Washington assessment of student learning
- Direct each elementary school to establish a three-year reading goal for its 4th-grade students
- Report to parents, the community and the state superintendent the districtwide and school-level three-year goals, student performance relative to the goals and plans to achieve the reading goals for K-4 students
- Direct the superintendent of instruction to report the results of the 4th-grade test for all schools to the legislature and public (WASH. REV. CODE ANN. sec. 101 and 630).

The bill also included provisions on reading assessment, including the following:

- Beginning in 1998-99, districts must select a reading test from the collection adopted by the superintendent of instruction. The selection must be at the entire district level and remain in place for at least three years.
- Schools must identity actions to improve the reading skills of students who score substantially below grade level and provide parents with strategies to help their children achieve the reading goal (WASH. REV. CODE ANN. sec 201).

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SERVICE-LEARNING

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SERVICE-LEARNING: EVERY CHILD A CITIZEN

Introduction

In 1997, the Education Commission of the States (ECS) created the Compact for Learning and Citizenship (CLC), an organization of state and district superintendents working to improve student learning through civic involvement and the use of volunteers.

CLC works with states, districts and schools to integrate service-learning into the core of K-12 schooling. The individual and collective efforts of CLC members provide the leadership necessary to help schools make quality service-learning opportunities available to all students and effectively use volunteers to help students improve their academic achievement.

This *Issue Paper* provides an overview of service-learning, impact, alignment with improving education, civic responsibility, voluntary versus required service, guidelines for effective practice, systems and strategies of support, and resources to integrate service-learning into K-12 schools.

What Is Service-Learning?

As part of a whole language curriculum to teach students how to read, kindergartners at Seattle's Hawthorne Elementary School visit monthly with senior residents of a nursing home where they join them in art, games, songs and conversation. When the children return to school, they describe their experiences to parents and other volunteers who transcribe their stories. These stories are made into books for the seniors as well as the school's library.

Service-learning, as defined in the National and Community Service Trust Act of 1993:

- Helps students or participants learn and develop by participating in thoughtfully organized service that is conducted in and meets the needs of a community
- Is coordinated with an elementary school, secondary school, institution of higher education or community service program, and with the community
- Helps to foster civic responsibility
- Is integrated into and enhances students' academic curriculum or the education components of the community service program in which the participants are enrolled

- Provides structured time for students or other participants to reflect on the service experience.

Educators and community leaders increasingly think involving young people in service-learning activities is a powerful strategy to improve achievement, support school improvement and contribute to community renewal. In service-learning, students relate their service experience directly to their school curriculum, while at the same time making a valued contribution to their schools, neighborhoods and/or communities.

For example, a student in a social studies class who spends time in a homeless shelter tutoring younger children or serving meals develops an emotional and human connection with the course concepts. Homelessness is no longer just a vocabulary word; it is a complex issue with sounds, smells and emotions as well as a lesson in history, geography and economics. Service-learning is not a form of "make work" or simply "students doing good things in the community"; it involves learning and using real academic skills, performing needed service and producing real results that command respect.

Strong evidence exists to show service-learning helps students develop intellectually and into good citizens. When community becomes the classroom and young people learn not just from books but also from their own experiences, they learn basic academic and higher-thinking skills in unexpectedly powerful ways. The motivation to learn is intensified, while opportunities to develop insight and judgment are multiplied. Social growth is advanced. Concern for the welfare of others and the ability to relate positively to a range of cultural backgrounds are encouraged as well.

Both teachers and researchers point out that service-learning also contributes to young people's psychological and moral development. Through age- and developmentally appropriate service experiences, youth can develop not only their sense of personal self-worth and competence but also the sense that they and their work have value in the community. They learn their personal boundaries can span neighborhoods and take in other generations.

Service-learning also provides positive ways for young people to make real contributions to their schools and communities. It helps students take risks on behalf of others, focuses their search for a personal value structure, and supports them as they accept responsibility, especially for their own learning and actions.

Lansing (Michigan) Middle School students learn and apply their basic math skills by sponsoring a market for senior citizens in urban apartment complexes. The markets enable senior citizens to purchase food at reduced cost and interact socially with the younger generation. Students buy food, transport it to the complex, measure, weigh and price the items, and assist the seniors in carrying and putting away groceries.

This unique lab experience is enhanced through related assignments where students practice their basic skills by comparison shopping, weighing and measuring goods, and totaling predetermined orders from shut-in senior citizens. Improved class attendance, parent letters and student remarks show service-learning is motivating and teaching low-achieving students.

What Impact Does Service-Learning Have?

A 1995-96 study of more than 1,000 service-learning students from Learn and Serve America evaluated the program's impact on participants, cooperating community organizations and institutions, and communities. Programs in seven middle schools and 10 high schools in nine states were examined. Projects ranged from tutoring and serving as teacher aides, to working in nursing homes and adult day-care centers, to constructing and improving neighborhood parks.

The impact on student participants included the following:

- Students involved in service-learning scored significantly higher on four of 10 evaluation measures: school involvement, grades, core-subject grade averages and education aspirations. Less significant but still impressive impacts were shown in overall gradepoint averages, course failures and students' assessments of their own capacity to succeed in school.
- Participants showed significant gains on measures of civic participation, such as personal and social responsibility, acceptance of cultural diversity and leadership (defined as being aware of social needs, able to develop and implement a project to meet those needs, and professing a commitment to service).
- Students involved in service-learning were 30% more likely to have been involved in some form of service in the past six months than other students. They provided 2.6 times more hours of service — an average of 107 hours — than students in the comparison group.
- High school students showed significant gains in psychological maturity. In addition, there was some indication that participation in service-learning, combined with other factors, may reduce risk behaviors associated with teen pregnancy.
- All students benefited, regardless of gender, race, economic or education classifications.

What Role Does Service-Learning Play in Improving Education?

As part of an English composition writing assignment, juniors at Edward Little Franklin High School in Auburn, Maine, envisioned what they would like to do with the "snake path," an underdeveloped, sometimes dangerous half-mile-by-400-yard wilderness region owned by the school. Based on their interests, the students formed teams to research and make recommendations. With their teacher, the city planner and a landscape architect serving as consultants, the teams interviewed students and community residents, drafted proposals and developed consensus through team debates. The result was a 50-page master plan for the property, now called "E.L.F. Woods," produced by the school's English classes.

The plan proposed landscaping and forest management, a cross-country course, an obstacle course, a mountain biking trail, and resurfacing and lighting a 500-yard walkway. Students presented the plan, including scale drawings, cost estimates, timelines, and construction features and materials, to the student body, school board and city council, all of which voted approval. To assist in the project's implementation phase, the council allocated $15,000 of its federal community development block grant funds. In addition, a concrete company committed fixtures for park benches, picnic tables and lighting supports.

Through their participation in the municipal planning process, students strengthened their research, writing, oral presentation and math skills while exercising their rights and responsibilities as citizens.

"*Service-learning has to do with powerful purposes — getting kids into the world. Jean Piaget says schooling isn't worth anything unless it creates for people the capacity to believe that when they leave school, they can change the world. If our kids don't believe they can change the world, then I think we ought to say that our education has not been powerful enough.*" Vito Perrone, director, Teacher Education Program, Harvard Graduate School of Education, 1992, Council of Chief State School Officers' Service Learning Conference, Racine, Wisconsin

For the past five years, states have been aggressively developing and implementing challenging content standards and curriculum frameworks. At the heart of all this work lies the goal of helping all students learn and achieve at high levels. To succeed in this endeavor, however, requires rethinking not only "what" students learn but also "how" they learn it.

Service-learning also has to do with what Vito Perrone calls "powerful purposes." It addresses the issue of academic rêlevance by connecting academic knowledge, skills and concepts with accomplishing an "authentic purpose" in the school and community. In this context, service-learning is an integral part of school improvement and contributes to that effort in the following ways:

- **Grounded in how learning occurs:** Service-learning meets a criterion of school improvement that often is missed. While improvement efforts often focus on financial, political or administrative solutions to education problems, service-learning is rooted in a sound understanding of education itself, taking its cue from how cognition and learning actually occur. Service-learning embodies the belief that knowledge is not merely transmitted from teacher to learner, but rather is gained by the learner through guided interaction with the environment.

- **Develops critical thinking skills:** Through service-learning, students learn to reflect on their experiences and develop critical-thinking skills, such as the ability to bring disparate elements of experience together in meaningful ways, to analyze information for patterns and deeper meaning, and to make evaluations and judgments.

- **Benefits all students:** Because it is an effective pedagogy and not specific to any one curriculum, service-learning supports and deepens the existing curriculum and aligns with national and state standards already in place. No group gets singled out because every student can benefit.

- **Uses multiple intelligences:** Service-learning engages the multiple intelligences identified by Howard Gardner, a core idea in education improvement, especially in curriculum development efforts. Service activities and corresponding reflection can be organized to address multiple ways that students learn. For example, students working with residents in a senior center can read aloud to the seniors, engage them in physical exercise and/or discuss historical events. Student reflections can range from creating a portfolio or journal, writing a song or delivering a speech.

- **Makes real-world issues part of education:** Service-learning presents students with issues and problems that cannot be neatly defined or solved. Encouraging students to "think outside the box" fosters development of problem-solving skills.

- **Interdisciplinary learning is encouraged:** Because service-learning requires students to think across the boundaries of traditional academic disciplines, students become more adept at integrating and applying what they are learning.

Service-learning also reinforces school improvement in other ways:

- **Develops workplace skills:** Service-learning experiences early and regularly in a student's education help to foster the development of important skills and positive attitudes toward work and the community. Research shows students learn best when they use interdisciplinary concepts and processes to solve ill-defined problems; function as members of multiple groups; use documents and sources of information other than textbooks; create products others can use; relate the work of the classroom to the world outside the school; influence and shape the course of their own learning; and model their performance upon that of competent adults. High-quality service-learning embodies these elements and provides students with rich and positive learning experiences that help prepare them for the world of work.

- **Promotes equity:** By facilitating heterogeneous grouping, service-learning allows students from a variety of backgrounds, ethnic groups, strengths and abilities to work together on real problems that provide unity and purpose beyond the classroom. It also has been found to provide extrinsic motivation for at-risk students, help special-education students develop concrete skills and competencies which often enable them to work alongside their nondisabled peers, and provide a holistic approach that can help immigrant students learn English language and culture.

- **Fosters appreciation for cultural diversity:** Service-learning helps foster in students a greater understanding, appreciation of and ability to relate to people from a wide range of backgrounds and life situations. It provides opportunities for youth not just to reach out to others but also to understand the value of differences among individuals and communities.

- **Promotes changes in school culture:** Service-learning can have a profound effect on the school culture because it creates new relationships between schools and communities. At the same time, the community itself becomes a learning environment that benefits from the schools that its tax dollars support. Service-learning also can create more collaborative relationships among teachers, administrators and other school personnel. When all members of the school community gradually become participants in this new process of learning, they develop a personal and collective stake in making something positive happen beyond the walls of the school.

How Does Service-Learning Contribute to Civic Responsibility?

The foundation on which the United States was built is achieved only when all citizens are included in choice and decisionmaking. Yet many young people feel alienated from the communities in which they live and attend school. Richard Battistoni and William Hudson write in their introduction of *Experiencing Citizenship:Concepts and Models for Service-Learning in Political Science*, published by the American Association for Higher Education:

> " . . . service-learning in a democracy — whatever its particular connection to courses or the curriculum — must be seen as a crucial aspect of civic responsibility: a model of the relationship between rights-bearing citizens and the many communities to which they belong. To be a citizen is not merely to possess knowledge of government and its workings or to have legal rights; it is to take responsibility, to see our interests and ourselves as flourishing only as our community flourishes."

Participating in high-quality service-learning activities can help develop many of the skills and competencies associated with good citizenship. Through service-learning, students learn about their community and the people, processes and institutions that are most effective in improving community conditions; develop the social, political and analytical skills necessary to participate in the policymaking process at any level of political and community life; and foster within themselves and among their peers attitudes regarding the value of lifelong service for the common good.

Service-learning also provides students with the opportunity to practice basic citizenship skills such as expressing opinion, speaking in public, organizing groups and thinking critically about political issues.

Should Service-Learning Be Voluntary or Required?

A number of school districts and one state have mandated that students perform specific numbers of hours in community service prior to graduation. A great controversy, however, exists regarding such requirements. For example, mandatory service can motivate students who normally might not volunteer. On the other hand, voluntary service attracts students who truly are committed to service and is more manageable as a program since fewer students are involved.

Over the years, service-learning practitioners and advocates have written that making service mandatory is a contradiction in terms and, while it may sound good, is unrealistic. Before states or school districts move to make service a requirement for graduation, policymakers and communities must examine both sides of the issue and consider how to make service-learning an effective learning tool. (This issue will be explored in depth in a later paper.)

What Guidelines Are There for Effective Service-Learning?

Because service-learning increasingly is recognized as a significant teaching and learning methodology, several organizations have identified essential elements for effective programs. The guidelines below incorporate the key points of these elements. Effective service-learning does the following:

- Strengthens academic learning through practical experience and application of theoretical concepts
- Involves researching school and community problems
- Involves developing service activities and/or projects that address real problems in the school and community
- Involves youth in all aspects of the process
- Works to build problem-solving partnerships between the school and community, as well as within the school and community
- Includes guided reflection time for students to think, talk and write about what they did and saw.

(Adapted from Principles of *Good Practice in Combining Service and Learning*, National Society for Experiential Education, 1989, and *Standards of Quality for School-based Service-Learning*, Alliance for Service-Learning in Education Reform, 1993.)

How Can States and Communities Support Service-Learning?

*KIDS Care in the Culver City (California) Unified School District involves students in service-learning activities, including restoring the Ballona Wetlands, raising trout for release in Piru Creek and organizing a schoolwide collection of items needed by homeless people. The district supports its service-learning initiative with money, time and resources. Funds are allocated from its Mentor Program, the state's professional development fund and the Goals 2000 budget for staff development. The district commits a small percentage of its assistant superintendent of educational services' time, eight principals and eight secretaries to support service-learning. It also provides bus transportation to activities. (*Service-Learning Linking Classrooms and Communities, *California Department of Education, 1999)*

State-Level Support

State education agency leadership is essential in expanding the use of service-learning in schools. State policymakers can use the following strategies to support local school-based service-learning initiatives:

- Designate a key state education agency staff person to *coordinate statewide service-learning initiatives,* including such capacity-building exercises as professional development for teachers and administrators, materials development, student assessment, and program evaluation and documentation. This person can work with other state directors within the state education agency to coordinate and connect service-learning initiatives with other federal and state education programs.

- Work with school districts and teacher education institutions to develop and offer *preservice and inservice training opportunities* for teachers and administrators throughout the state.

- Provide a *forum* for, and help educate, state boards of education, commissions for national service and legislators about service-learning and the need to create and improve standards for high-quality school- and community-based service-learning.

- Assist local districts in *monitoring, evaluating and reporting* on the effectiveness of their service-learning activities and programs.

- Sponsor or cosponsor *regional seminars* for principals and district-level administrators on strategies for: (1) using service-learning in state, local and national school improvement efforts, (2) assessing the impact of service-learning on academic performance and (3) developing partnerships among public schools, community organizations and institutions of higher education.

- Help develop and support a *statewide network* of experienced service-learning educators. These educators can help other educators expand the use of service-learning as a strategy for education improvement.

- Develop and disseminate *written policies* endorsing the integration of service-learning into the academic curriculum.

Local-Level Support

Service-learning cannot be sustained without support from schools, communities and school districts. Developing and carrying out local strategies and policies, such as those suggested below, can help to ensure service-learning is integrated into school academic programs. To provide support at the local level, schools, districts and communities can do the following:

- Use existing staff development funds and program structures to support professional development opportunities in service-learning and related topics for teachers.

- Incorporate time into the school day for teachers to meet with colleagues, both in the school and in the community, for planning, program preparation and professional development.

- Develop a recognition or reward plan, or both, for teachers who give their personal time for professional growth, planning, preparation and delivery of service-learning activities.

- Develop a school schedule, for example, through block scheduling, that supports academically based, experiential, service-learning activities for all students.

Sources Supporting Service-Learning in States and Communities

- **National and Community Service Trust Act of 1993** — This act created and funds the Corporation for National Service, which supports service-learning through Learn and Serve America (formally called Serve America under the National and Community Service Act of 1990). Learn and Serve America is a competitive grants program for establishing elementary, secondary, postsecondary and community-based service projects.

- **Improving America's Schools Act of 1994** — Service-learning is included as an allowable use of funds in the following programs under this act: Title I Schoolwide Programs; Title II Dwight D. Eisenhower Professional Development Program Parts A and B; Title IV Safe and Drug-Free Schools and Communities; Title X Programs of National Significance, including Part A Fund for the Improvement of Education, Gifted and Talented Children and Civic Education. (Efforts are under way to include service-learning as an allowable activity in additional titles and programs in the reauthorization of the Elementary and Secondary Education Act.)

- **Private Foundations** — Although major private foundation support for school- and community-based service and service-learning has slowed since enactment of the National and Community Service Trust Act, private foundations still remain a significant funding source. In recent years, more local and regional foundations also have begun to support local efforts in service-learning.

- **State Policies** — Several state policy initiatives support and encourage school-based service-learning. These policies primarily call for linking service-learning with education reform initiatives. They do not provide funding support specifically for service-learning activities at the local level.

For more Information

The Compact for Learning and Citizenship (CLC) provides K-12 school leaders, legislators and other education stakeholders with resources, profiles and strategies to integrate service-learning through practice and policy. District superintendents and chief state school officers are invited to join. The CLC Web site (www.ecs.org) also provides links to other organizations, clearinghouses and resources. Contact Terry Pickeral, project director, at 303-299-3636 or tpickeral@ecs.org, or Lou Myers, project coordinator, 303-299-3644 or lmyers@ecs.org.

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Web Sites

Constitutional Rights Foundation
www.crf-usa.org

Corporation for National Service
www.cns.gov

Education Commission of the States
www.ecs.org

National Service-Learning Clearinghouse
www.nicsl.coled.umn.edu

National Youth Leadership Council
www.nylc.org

National Dropout Prevention Center
www.dropoutprevention.org

This *Issue Paper* was written by Barbara Gomez, education and service-learning consultant.

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SERVICE-LEARNING

Compact for Learning and Citizenship

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SERVICE-LEARNING: AN EDUCATION STRATEGY FOR PREVENTING SCHOOL VIOLENCE

Introduction

Recent headlines provide ample testimony of dramatic, heart-stopping incidents of youth violence — at every socioeconomic level, in every age group, and across rural, suburban and urban areas. What were once seen as isolated outbursts have multiplied in such a way that they no longer can be thought of as random incidents.

Many factors underlie violent behavior in schools. Easy access to guns, violent movies and video games, poor and even destructive parenting, social upheaval in schools, minority status and, not least, violence in the home are all potential "enablers" of violent behavior on the part of students. But these are only the external, publicly discussed causes.

Rarely talked about is what is happening within young people that cause them to react with such negative emotion and antisocial behavior. Many of the students who perpetrated the most serious school violence acts felt alienated from schoolmates, for example. Even more rarely discussed is how schools, organizations and communities can nurture young people with strategies that focus on preventing violence. At the very least, educators and others need to create situations in which young people experience structure in their lives, receive emotional support, have clear behavior expectations and experience meaningful consequences to unacceptable behavior. Above all, adults need to model values that can help young people become healthy, balanced and productive individuals.

The addition of service to learning helps students . . . experience the rewards, at a young age, of becoming healthy, productive citizens.

Service-learning is one strategy that shows promise for creating this "culture of caring." Service-learning works because it provides a vehicle to reach young people by using carefully selected contexts of community service as environments for learning. The addition of service to learning helps students see first-hand that caring about others makes a difference. They experience the rewards, at a young age, of becoming healthy, productive citizens.

Service-learning provides both the social structure and the emotional support that can help counter youth violence. It helps young people develop academically, socially and emotionally. It also provides an important way for young people to connect with their communities by giving them a stake in creating positive changes where they live.

Service-Learning: A Frame To Address Youth Violence

The National and Community Service Trust Act of 1993 defines service-learning as "a way to involve young people in learning through participation in thoughtfully organized service that meets real community needs." This definition is used in programs across the country. At the classroom level, service-learning experiences are integrated into curriculum and programs in K-12 schools as a focal point of a unit of study or as a theme for an interdisciplinary approach to learning (see examples on page 3).

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Teachers who have tried it say the experience of service brings learning to life by motivating students to learn. Such experiences enrich learning by giving students the opportunity to acquire and apply skills, examine problems and think critically about situations and issues.

Service-learning also connects students to one another, as well as to their communities. Most important, a reflection component gives students the opportunity to understand what they have accomplished and learned. Reflection puts learning in a broader context and integrates new learning into previous studies.

Service-learning is an effective countermeasure in a school culture that either includes or is drifting in the direction of violence. Dynamic service-learning can help transform a negative school culture into a positive place to learn. The experience of Putnam Vocational Technical High School in Springfield, Massachusetts (described in this paper), as well as other school sites, shows the impact service-learning has had on the school culture, the students' lives and their communities.

Reaching Alienated and Disaffected Students

One step in preventing students from feeling alienated is for teachers and others in the community to start by treating young people as if they matter — one by one. Based on widely reported and documented research, it appears that alienation and disaffection among adolescents arise, in part, from the lack of a positive connection with their community. Youth who become violent commonly say they feel as if "no one cares" or they "don't matter."

Teachers and other school officials already involved in service-learning say that one highly effective way to demonstrate to students that they are cared for is to give them something to care about in a supportive context. As Virginia Anderson, former principal of Chestnut Middle School in Springfield, Massachusetts, puts it, "When students can care for others, they learn to care for themselves."

Teachers and school administrators know that growing up and becoming a citizen in a democratic society involves gaining a sense of responsibility to others and contributing to the community, as well as enjoying society's benefits. To that end, teachers, parents and other citizens must reconnect with young people, and nurture and care for them.

Service-learning projects bring people together around a real need. Teachers and students work together to design a project to meet a community need while at the same time supporting specific learning objectives. For example, students who help senior residents of a nursing home write letters to relatives enhance their academic skills of communication and writing, and the social skill of listening. Science students who participate in a community environmental-quality study develop observational, data-recording and research skills, as well as the higher-order thinking skills of analysis, synthesis and evaluation.

In addition to the learning that occurs, a compelling reason to use service-learning is that all young people can participate. Service-learning can bring together people of diverse populations and incomes around a common purpose that makes a difference in school cultures and communities. When students work together on service-learning projects, they have the opportunity to learn how to work effectively in diverse groups and make decisions for the good of the group. They learn how to communicate clearly, how to negotiate, come to consensus, solve problems, value differing beliefs and ideas, and respect diversity. Some students may need to learn about poverty, others about abundance, but all need to learn about one another's dignity and intrinsic worth. As Putnam Principal Ann Southworth likes to point out to her teachers: "The power of service-learning lies in its ability to initiate the most important learning activity of all, the realization of self."

> ***"When students can care for others, they learn to care for themselves."***
>
> — Virginia Anderson,
> former principal,
> Chestnut Middle School,
> Springfield, Massachusetts

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Service-Learning with a Theme

Dubuque, Iowa, 6th graders improved their writing, interviewing, interpersonal and artistic skills while developing a relationship with retirement/nursing home residents. Students at Audubon Elementary participated in a core curriculum entitled "Cycles of Life" — a theme their teachers believe ties in naturally with studies of ecosystems, astronomy and ancient civilizations.

In the service-learning project, each student was paired with a resident of a nearby nursing home. Students developed their academic and interpersonal skills by giving time and attention to, and producing a written biography for, their assigned resident. The biographies were presented to the residents or their families during the students' 6th-grade graduation ceremony.

Teachers planned extensively for the year-long curriculum, outlining academic objectives, guiding the students in planning the biographies and developing interview questions, arranging meetings between student and resident, assisting in production of the biographies and facilitating delivery of the final product — each resident's personal story.

Lessons learned from this service-learning experience were incorporated into objectives of the basic content curriculum. In addition, students developed long-lasting relationships that blossomed long after the academic activities were over.

(Source: Fordice, Deb (1999). "Seasons of Life: Biography as Service," *Service at the Heart of Learning*. Emily Cousins and Amy Mednick, editors. Dubuque, IA: Kendall/Hunt Publishing Co.)

Service-Learning Across the Curriculum

Malcolm Shabazz City High School in Madison, Wisconsin, is a small public alternative school for "at-risk" students. The school's mission is to create a safe, supportive, multicultural, academically challenging learning community that prepares young people to become active, informed, compassionate adults. Service-learning was adopted as a schoolwide approach to help fulfill this mission.

At Shabazz, service-learning is used to incorporate diverse teaching and learning styles; foster resiliency and build on each student's strengths; foster civic responsibility and activism; enhance academic achievement for all students; and teach reflection and critical-thinking skills. Service-learning permeates the curricula, and every student becomes involved in such areas as language arts, drama, science, health, social studies, art and computers.

During the 1998-99 school year, students were engaged in more than 20 Shabazz/Community Service-Learning Partnerships. This teaching strategy, says coordinator Jane Hammatt Kavaloski, brings relevance and reflection, collaboration and compassion to teaching and learning, and has sparked a new excitement about learning and a new awareness of civic responsibility among students.

(Source: Material developed by Jane Hammatt Kavaloski, service-learning coordinator)

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Turning Around a Troubled School

At Putnam, the administration, faculty, community members, parents and students have transformed their school from a place plagued by violence, drugs and open gang warfare to one well on its way to becoming a high-performance high school (see boxes that follow). The indices of change at Putnam point to a dramatic turnaround in a school that just five years ago was on the threshold of anarchy — a turnaround Southworth attributes directly to service-learning.

Putnam in Profile

Total Student Body — 1,552, Grades 9-12

Demographic Make-Up	Male	Female
Native American/Alaska Native	1	0
Asian American	8	11
African American	217	225
Hispanic	398	403
White	168	121
Total	792	760

Evidence of Change

	Pre-Service Learning (1995)	Post-Service-Learning (1999)
Incoming 9th graders testing at grade level (Iowa Test of Basic Skills)	9%	--
Dropout rate	25%	5%
Students disciplined for fighting	12%	1%
Bound for postsecondary education	40%	62%
GPA of 3.0 or higher	6%	17%
On school honor roll	12%	40%
National Honor Society members	2%	8%
Families at or below poverty rate	80%	80%

(Source: Ann Southworth, Principal, Roger L. Putnam Vocational Technical High School, Springfield, Massachusetts)

Putnam's Service-Learning Programs and Activities

Putnam administrators and teachers increased their use of service-learning in 1994 to counter the school's negative culture. The effort has provided teachers with a process to use students' shop and academic skills in service projects within the school itself and in the Springfield community at large. Specific service-learning projects have included the following:

- *Working with the Springfield Parks Department, Putnam faculty and students renovated and decorated a dilapidated Victorian carriage house, which is now used for public functions.*
- *Students and faculty worked with museum curators to build an exhibit representing a section of 16th century Timbuktu. The project, which included a number of gang members, began as a carpentry, design and paint shop class. As students worked at the museum, docents taught them the history of West Africa in the 16th century. And, as students were called upon to write and tell about their museum experience, they asked their teachers to help them improve language and speaking skills. Students also brought their families to the museum, the first time most of them had attended an exhibit or visited any museum.*
- *The successful construction of the Timbuktu exhibit led the museum staff to request that students construct another exhibit focusing on the history of transportation in Springfield — specifically, building a replica of the old Trolley Barn, which had once stood in the neighborhood where many of the students lived. Because the project was in their part of town, students learned not only about construction but also about Springfield and its history during the turn of the century.*
- *These successes led to building a shrine for exhibiting Buddhist art from Nepal. Students and faculty worked with local museums and the University of Massachusetts to develop an interdisciplinary unit on Eastern religion, history, English, art and carpentry skills. The exhibit opens in fall 1999.*
- *Another carpentry service project provided the local regional theater with a set for a production of* The Diary of Anne Frank. *In the course of this project, students studied the Holocaust, as well as the book. Carpentry students, who had not demonstrated strong writing skills up to that point, produced four-page essays about their work and what they learned.*
- *In another area of community service, faculty and students recognized the school needed a health center and, because no funds were available, began to plan how they could build one. Vocational shops agreed to help design, build and wire the shop. Residents and businesses provided the funds for a health educator, and within a few years the health center became a reality.*
- *Students not only participate, but also help train others in peer mediation, a major program at Putnam. As Putnam mediation teacher Jimmie Mitchell wrote in a letter to Southworth: "Mediation is an effective program that shows students how to solve problems without using violence. I feel it is especially important for inner-city kids to help them deal with violence not only inside the school but outside as well. Our students feel Putnam is a safe environment for them, which encourages them to come to school; that decreases our dropout rates. Many of our students' parents feel violence is a way for them to solve their problems. By training our students [in peer mediation], they can go home and teach their parents the valuable mediation skills they have acquired."*

In the context of Putnam's Total Quality Management (TQM) team, faculty and students developed a strategic plan using the TQM method. They developed strategies for helping others, taking responsibility for the litter in the rooms and halls, and contributing to overall school improvement. The participation of one student — the son of divorced, alcoholic parents — exemplifies the experience of many who engage in service-learning. He began with barely passing grades, sporadic attendance and an "I-don't-care" attitude toward school. But after working on two medal-winning TQM teams, the student began to experience academic success and will enroll in college next year.

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"Service-learning," she says, "gives new meaning to academic life for these kids. If you take a simplistic view, you can stop violent behavior pretty easily, as long as you are willing to turn your school into a juvenile detention center — a prison. You bear down with order imported from the outside. But to get young people to become self-directed toward improvement, you have to give them new options. Service-learning does that."

The results at Putnam have been impressive. More than 140 students were placed in jobs with local employers in 1998-99, demonstrating that businesses and local organizations recognize the good work students have done in the community. In fact, two young male graduates had $33-an-hour jobs as carpenters. Both minorities, they also are members of the National Honor Society and are headed toward four-year colleges with excellent scholarships. As the younger students see their success, they are encouraged to emulate them — to put in the effort it takes to overcome challenges, says Southworth. "They see," she says, "that when they help the community, the community helps them. Respect breeds respect."

Obviously, not all of these activities and learning can be accomplished by a school alone. The philosophy, process and structure for developing service-learning needs to be understood and valued. As that process unfolds, a web of connections begins to take shape among businesses, city departments, higher education institutions, partnering schools, community organizations and a variety of social agencies within the city.

Helping Adults Feel Responsible

Adults often abdicate their responsibility to young people. School leaders sometimes fail to reach out to other partners, such as organizations whose interests match or complement those of young people; community volunteers who can bring their experiences and careers to young people through mentoring; parents who are ready to step in, but do not know how to do so effectively; and social service agencies and professionals whose resources and skills can be turned toward preventive interventions.

Service-Learning's Impact

Students. *Evaluations show that service-learning has strong impacts on academic learning as well as citizenship. In a recent national study of service-learning programs commissioned by the Corporation for National Service, for example, students scored much higher on four measures of academic importance: engagement with school, grades, grade averages in core subjects and education aspirations. Measures of civic participation also were high, as were gains in psychological maturity.*[1] *Asked about their own reactions, 90% of service-learners said their peers should be encouraged to participate. Perhaps most telling, they said the experience made them feel as if they made a difference. As one student said, "You see a big, big change in the kids you work with. I had a girl who could hardly read, and I worked with her every week, and at the end of the year, she was above the other students in her class. She just needed extra attention."*[2]

Community Organizations. *Service-learning experiences provide a much-needed extension of resources available through community organizations. Examples of the impact of service-learning efforts on community organizations include the building of structures, such as landscaping a park and building a gazebo and picnic tables in Crawfordsville, Florida; providing services to hospital patients in East Scranton, Pennsylvania; providing tutors; assisting in nursing homes; helping to manage a local food bank; working with local government, as some Texas students did by leading tours at a local science center and providing clerical assistance at the State Employment Commission.*[3]

Communities. *Service-learning programs also affect communities as a whole. In evaluations of more than 300 programs, local officials gave service-learning projects high ratings for accomplishment, averaging 8.6 on a 10-point scale. Agency personnel also rated service-learning volunteers 8.2 for their impact on the community, and 96% of local officials said they would use the program again.*[4]

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As a result, young people are often left to their own devices. They shape a culture lacking in the traditional guidance of the adult world and the accumulated wisdom of generations. Littleton, Colorado, and the other sites of violent tragedy have sounded a wake-up call that many young people not only need help but are crying out for it — for a sense of direction, a set of coherent values and a structure of limits they can count on.

Service-learning helps provide these structures. School/community partnerships, for example, help bring adults and youth together. Putnam High School has several such partnerships, including the University of Massachusetts, Baystate Medical Center, Springfield Parks Department, Springfield Library and

Policy Implications of Service-Learning

A prerequisite for understanding the education policy implications of service-learning is understanding that there is a fundamental difference between service-learning and community service per se. In service-learning, service experiences become a carefully constructed context for education, not simply an expectation about how young people can or will spend time as volunteers. In service-learning, young people are not expected to spread out into the community looking for something to do. The expectation rather is for the school and district to identify and provide opportunities for student service that match curriculum goals and can be integrated with them.

This perspective gives rise to several policy implications:

1. *Service-learning offers the opportunity and responsibility for professional development for teachers unfamiliar with the service-learning concept or with service-learning as an education process. Service-learning is not merely a way for students to expend extracurricular time; doing service-learning right takes preparation and training. To institute a service-learning education component without professional development support is to court failure.*
2. *Given that a basic goal of all education is to provide young people with the knowledge, skills and abilities needed to function effectively as citizens in a democracy, a strong and overt link to citizenship education is an important policy implication for service-learning. Because service-learning is a highly effective way for young people to assume the mantle of citizenship in a sequence of progressive responsibilities, the two can and should be seen together and built in tandem. How well civic and service responsibilities are learned can be tested through written work based on experience, for example, student essays, portfolios, project reports and arts projects.*
3. *The overlap between character education, citizenship education and service-learning means school leaders must bring service-learning closer to the center of their long-range objectives. At both federal and state levels, funds already have been earmarked for character education and citizenship education. The similarity between these concerns and those of service-learning create an opportunity for piggybacking and joint programming.*
4. *As a matter of education policy, service-learning, by its nature, offers contexts for striking the balance between book learning and experiential learning. Service- and experiential learning need not be looked at in isolation. These point to guidelines for policies aimed at total integrated learning across the board.*
5. *Service-learning provides an exceptional opportunity for school and district officials interested — as a matter of education policy — in finding effective means to build interdisciplinary curricula that have the added advantage of being rooted in direct student experience.*
6. *Service-learning can be used effectively as a vehicle to achieve education reform goals. It reinforces authentic, active learning; partnership with the community; support for interdisciplinary study; and a host of other reform initiatives.*

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Museums Association, Springfield Police Department, American Saw and Manufacturing Co., Peter Pan Bus Co., a local soup kitchen, and four middle and elementary schools. These institutions and organizations provide dozens of adults to support education and places for students to serve.

Seeing Young People as Resources

Teachers and administrators involved in service-learning say seeking ways to use young people's skills and interests and treating them as genuine contributors motivate them to participate. Because adults traditionally take on the role of providing education programs, many find it difficult to give young people an opportunity to contribute on their own and serve as community members in full standing.

By contrast, service-learning not only provides but also insists on a process that enables students to participate in determining which service activities become part of the school curriculum and thus of their lives. Teachers, community partners and students develop the capabilities they need to work effectively in a structure in which they determine their own roles and responsibilities. Teachers guide and coach the students throughout, helping them make sensible and practical decisions that support curriculum goals and their own development as community members and citizens.

> ***"The power of service-learning lies in its ability to initiate the most important learning activity of all, the realization of self."***
>
> — Ann Southworth, principal,
> Putnam Vocational Technical
> High School, Springfield,
> Massachusetts

Supporting School Reform

For almost two decades, school reform and improvement have been at or near the top of the nation's domestic agenda. But, in addition to higher academic standards, reform efforts need to include character formation and attention to building strong values of respect, caring and responsibility, as well as the skills and attitudes of good citizenship. In acting like good citizens, students become good citizens, developing the skills of responsibility, respect, caring and the ability to communicate in positive ways.

Service-learning also reinforces high education standards and makes real the requirements students encounter for judging their work and participation. As Putnam instructor Robert Tynan says about the Buddhist culture exhibit: "From the beginning of this project, students knew that their work was to be widely exhibited and that the Buddhists believed it should be of high quality, create good karma and be an aid to meditation. Students knew their work had to represent their best efforts, and they responded well."

Service-learning can be a key component in addressing education reform and school improvement by creating conditions within schools that nurture both high academic performance and student contribution to self and society. The strength and power of service-learning comes when it is fully aligned with state and district policies on standards, assessment, accountability and other critical initiatives. Successful partnerships between schools and their community are required for reform to be fully comprehensive. Service-learning opportunities allow the public and schools to work together to improve community life.

In addition, the project's learning objectives were purposefully tied to high learning standards. Putnam mathematics teacher Joan Beardsley notes, for example, that students met mathematics standards by analyzing and explaining the geometry of mandalas, as well as by learning to read architectural plans and drawings.

In order to integrate service fully with learning and align it with standards, competencies, assessment and accountability as Tynan and Beardsley have done so effectively, teachers must be provided with quality professional development. Continuous teacher improvement must be a priority for schools, and helping teachers learn how to develop an integrated quality service-learning curriculum is essential.

Promoting Positive Youth Development

In the past few years, psychological research conducted on how young people learn and what factors contribute to the development of a healthy, successful person has confirmed what teachers who use service-learning have long known. Education writer Daniel Goleman, for example, whose research has led him to conclude that emotional well-being is the strongest predictor of achievement in school and on the job, posits five dimensions of emotional intelligence that he believes should be incorporated into schooling to help young people develop emotional health.[5]

> ***"If I can do this as a 7th grader, I can do anything, anytime in my life."***
>
> **— Student taking part in service-learning**

They include:

- Self-awareness — the basis for self-confidence and a child's need to know strengths, limits and how to be decisive.
- The ability to handle emotions — the root of emotional intelligence, which includes the ability to handle impulses and feelings. By adolescence, boys who do not develop maturely in this area are three to six times more likely to display violent social behavior.
- Motivation — having hope, setting goals and knowing how to persist in attaining them.
- Empathy — understanding how someone else feels.
- Social skills — how to interact with others in a positive, friendly way.

Similarly, the research of Renata and Geoffrey Caine into the brain's learning capacities has led them to conclude that young people need learning experiences that engage positive emotions. Further, research on what makes some people more resilient to problems and disappointments than others suggests that persons in the fields of preventing delinquency, youth development and education should create situations in which young people have caring relationships, high expectations and opportunities to contribute.[6] As co-editor of *Resiliency in Action*, Bonnie Benard notes this research "provides a powerful rationale for moving our narrow focus in the social and behavioral sciences from a risk, deficit and pathology focus to an examination of the strengths youths, their families, their schools and their communities have brought to bear in promoting healing and health."[7]

Conclusion

Educators, researchers and community leaders increasingly see that involving students in service-learning activities enhances young people's intellectual, psychological and moral development. And, as researchers substantiate the links between youth violence and a lack of connection to community, policymakers and educators need to examine service-learning's capacity as a tool for preventing violent acts among the nation's young people. The experience of Putnam Vocational Technical High School and others is ample evidence that even schools mired in despair can take a new, positive direction when their students are connected to activity that demonstrates to them that they can make a difference.

As former principal of Springfield, Massachusetts' Chestnut Middle School, Virginia Anderson found service-learning can create a more positive school climate, break the isolation of the school and students from their neighborhoods, increase student interaction with adults and provide a path for growth in self-confidence. As one boy exclaimed after a successful service activity, "If I can do this as a 7th grader, I can do anything, anytime in my life."[8] Littleton need not be the last word.

> ***"You see a big, big change in the kids you work with. I had a girl who could hardly read, and I worked with her every week, and at the end of the year, she was above the other students in her class. She just needed extra attention."***
>
> **— Student taking part in service-learning, Amarillo, Texas**

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[8] Kinsley, Interview.

SERVICE-LEARNING RESOURCES

The following organizations and publications are resources for service-learning materials, curriculum, and/or training and technical assistance services.

Organizations

Campus Compact
Box 1975
Brown University
Providence, RI 02912-1975
Phone: 401-863-1119
www.compact.org
(Coordination of college programs)

Compact for Learning and Citizenship
Education Commission of the States
707 17th Street, Suite 2700
Denver, CO 80202-3427
Phone: 303-299-3600
Fax: 303-296-8332
www.ecs.org
(Policy and curriculum integration)

Compass Institute
4253 Cottonwood Place
Vadnais Heights, MN 55527
(Training and technical assistance and evaluation)

Close-Up Foundation
ACT Project
44 Canal Center Plaza
Alexandria, VA 22314-1592
Phone: 703-706-3512
Fax: 703-706-0001
www.closeup.org
(Civic education and service-learning materials)

Corporation for National Service
Department of Service-Learning
1201 New York Avenue, NW
Washington, DC 20525
Phone: 202-606-5000
www.cns.gov
(Funding and policy resources, materials and training information)

EarthForce
1908 Mount Vernon Avenue, 2nd Floor
Alexandria, VA 22301
Phone: 703-299-9400
www.earthforce.org
(Environmental education service-learning materials and training)

Institute for Service-Learning
Henry Avenue and Schoolhouse Lane
Philadelphia, PA 19144
Phone: 215-951-2269
Fax: 215-951-2128
e-mail:Institute@philacol.edu
(Curriculum integration materials, technical assistance)

Learn and Serve America Exchange
National Youth Leadership Council
1910 W. County Road B
Roseville, MN 55113
Phone: 800-572-3924
Fax: 651-631-2955
www:lsaexchange@nylc.org
(Training and technical assistance)

National Dropout Prevention Center
209 Martin Street
Clemson, SC 29634-0726
Phone: 864-656-2599
Fax: 864-656-0136
www.dropoutprevention.org
(Curriculum integration materials, technical assistance, and higher education partnerships)

National Service-Learning Clearinghouse
University of Minnesota
R460 VoTech Ed Building
1954 Buford Avenue
St. Paul, MN 55108
Phone: 800-808-7378
www.nicsl.coled.umn.edu
e-mail: serve@tc.umn.edu
(K-12, community-based, higher education and Indian Tribe program database, evaluation, curriculum and materials)

National Society for Experiential Education
3509 Haworth Drive, Suite 207
Raleigh, NC 27609-7229
Phone: 919-7873263
Fax: 919-787-3381
e-mail: nsee@nestart.net
(Curriculum integration and higher education partnerships)

National Youth Leadership Council
1910 W. County Road B
Roseville, MN 55113
Phone: 800-572-3924
Fax: 651-631-2955
(Training, technical assistance, materials)

Northwest Regional Educational Laboratory
101 SW Main Street, Suite 500
Portland, OR 97204-3297
Phone: 800-361-7890
Fax: 503-272-0133
e-mail: blakea@nwrel.org
www.nwrel.org
(Curriculum integration, evaluation)

Points of Light Foundation
1400 I Street NW, Suite 800
Washington, DC 20006
Phone: 202-729-8000
Fax: 202-729-8100
(Integration in community-based organization and youth development)

RMC Research
W1512 Larimer Street
Writer Square, Suite 540
Denver, CO 80202
Phone: 808-922-3636
rmc@rmcdenver.com
(Research and evaluation materials)

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This Education Commission of the States' *Issue Paper* was written by Carol W. Kinsley, Ann Southworth and Bruce O. Boston.

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For More Information

The Compact for Learning and Citizenship (CLC) provides K-12 school leaders, legislators and other education stakeholders with resources, profiles and strategies to integrate service-learning through practice and policy. District superintendents and chief state school officers are invited to join. The CLC Web site (www.ecs.org) also provides links to other organizations, clearinghouses and resources. Contact Terry Pickeral, project director, at 303-299-3636 or tpickeral@ecs.org, or Lou Myers, project coordinator, 303-299-3644 or lmyers@ecs.org.

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MANDATORY COMMUNITY SERVICE: CITIZENSHIP EDUCATION or INVOLUNTARY SERVITUDE?

Introduction

A popular topic of conversation lately among parents, educators, policymakers, students and the media is the isolation of young people from their communities. Many people feel schools have a responsibility to build bridges among diverse populations of children and youth, provide nonviolent problem-solving experiences and promote positive activities for young people, even during after-school hours. Involving young people in community service is seen as one potential solution. Indeed, some citizens and educators would like to ensure that all students — including those least likely to participate voluntarily but most likely to benefit from the experience — have the opportunity to help others and contribute to their communities. An increasingly popular way to do this is to require students to complete a certain number of service hours as part of their school experience.

Whether or not students should be required to participate, and what form that participation should take, are the questions most often posed about community service in K-12 education. The answer depends on the intent of the policy. What is the purpose of including service in students' education? What do policymakers and educators want to accomplish?

One goal is to provide students with opportunities to get along with one another, to cooperate and collaborate. A broader goal is to promote civic understanding, participation and citizenship. A third goal is to encourage character education, and a fourth is to advance academic outcomes — grades, school engagement and students' educational aspiration. For some of these purposes, having students participate in community service activities — on their own or as part of a school requirement — may be quite useful. If academic outcomes are desired, however, service-learning — community service experiences integrated with students' academic education — can be a more effective tool.

This *Issue Paper* examines the pros and cons of required community service, discusses policy rationales and options, and presents a snapshot of various practices in place nationally. It is designed to enable education policymakers to make more informed decisions about which of these options, if any, is most appropriate in their state, school district or school.

Policy Options — An Overview

Service activities can take a number of forms. The options are as varied as the school districts that implement them, but generally can be defined in terms of the nature of the service activities, the degree of their infusion into the student's education, and whether or not the service activities are mandatory. Beyond these central policy issues, there is variability in implementation, such as where the service takes place (off or on school grounds), when (outside school hours or during school time), who signs off on the hours (school or agency), and how hours are counted and documented.

Many school districts provide community service opportunities that involve a minimal connection with the student's education, rather than being managed exclusively by student clubs or other organizations. Some school districts encourage students to volunteer by providing academic credit for service projects

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but without an accompanying curriculum. Twenty-one of the nation's 50 largest school districts offer academic credit for volunteer work, according to a 1998 *Chronicle of Philanthropy* survey. These opportunities range from simple credit-for-service arrangements with no curriculum component to integrated service-learning courses.

The box below shows the continuum of policy options that support service opportunities for students.

Volunteer Service Opportunities	**Service Facilitated by the School**	**A Single Service-Learning Project for Credit**	**Service-Learning Courses Available**	**Service-Learning Courses Integral to School Mission**

At the far left of the continuum are policies that address service simply in terms of volunteerism — whether on the student's own or facilitated by the school. The progression moves to offering credit for service hours and then to policies that support full integration of service-learning into the school's curriculum and climate. Full integration is done with the express purpose of educating active, engaged citizens who know about the world and their own community, and care about contributing to it.

There is often a clear progression over time in how schools or districts pursue service activities. Many times, a school or district starts with a policy that mandates service hours and then moves toward more service-learning. This type of evolution occurs because the policies on the left of the continuum are easier to plan and implement in terms of logistics (track hours, fill out forms, little to no formal assessment, little monitoring, etc.) and also may be easier to explain to constituents. Moreover, these policies place most of the responsibility for implementation on the student.

By contrast, the service-learning policies on the right-hand side of the continuum are more challenging to implement because they require staff and teacher involvement and place responsibility on the school and/or district to make quality service experiences available for students.

The National Service-Learning Clearinghouse reports that 5.5 million high school and middle school students are engaged in service-learning, a growth of 3,663% in high school participation between 1984 and 1997. A wide range of service activities can be used in service-learning, for example, tutoring for

Community Service vs. Service-Learning

What is the difference between community service and service-learning? In community service, a student organization/club may decide to spend a Saturday cleaning up the neighborhood park and adjacent woods. The experience is not related to course curriculum, and the school and the teachers are not involved in planning, organizing or supervising. Students might receive some credit for their involvement or be recognized by the school, but there is no clear-cut connection to classroom activities or assessment. There also is no real follow-up activity such as reflection or community action to maintain the clean neighborhood.

In a service-learning program, students first prepare for their experience by studying the ecology and environment of the area and determining a "real" community need. Teachers, other school administrators and the students develop the curriculum around the problem, determine the site and the work to be done, complete the work and develop a follow-up action plan to maintain the area. Students are assessed on their knowledge of the issue and their participation. Teachers and students take part in reflection activities to understand the importance of their work, evaluate how well they worked together and met their obligations, and discuss the importance of their civic duty and how they grew as individuals. This service activity could be tied to science, speech and/or composition curriculum and to standards adopted by the school.

literacy — in reading and writing or computer technology; peer mentoring; and social-service and environmental activities in the broader community.

In a district, policy options for student service might look like any one of the following:

- Requiring students to perform a certain number of hours of community service
- Requiring schools to provide students with service opportunities
- Providing particular project-based service requirement(s) for which students receive academic credit
- Offering a required or nonrequired course, such as *Introduction to Service,* in which students learn about the history of service and complete one or more service projects
- Offering a required or nonrequired course in the core curriculum, using service-learning as a method of teaching
- Providing multiple required or nonrequired courses in the core curriculum, using service-learning as a method of teaching, integrating it into the overall school climate, and providing a meaningful curriculum and reflection opportunity
- Offering volunteer service activities organized by student clubs or other school groups, or elsewhere by neighborhood or community-based organizations, with no curriculum component.

What is Service-Learning?

In service-learning, youth are encouraged to take the lead:

- ***in responding to genuine needs in their school or community they have researched and identified***
- ***through meaningful service***
- ***integrated into a thoughtfully organized curriculum***
- ***accompanied by regular opportunities for reflection***
- ***and making use of partnerships between school and community.***

The most passionate arguments for and against the various policy options tend to occur over the policies at both extremes on the continuum — mandated hours on one end and service-learning integrated into the school curriculum on the other.

Pros and Cons of Mandatory Service

According to the Institute for Justice, a Washington, D.C.-based law group representing students and their parents in several lawsuits against mandatory service across the country, only about 8% of school districts (fewer than 1,100) require students to complete some form of community service in order to graduate from high school. A recent article in *The San Francisco Chronicle* reports that California school districts listing community service requirements were up from 47 in 1997 to 60 last year. A 1995 survey conducted by the American Alliance for Rights and Responsibilities showed that 25% of students in the 130 largest public school districts must perform some type of community service to graduate. The number of service hours required in these school districts ranges from 40 to 100. Many students can start counting hours performed during middle school and must complete the required number by the end of their senior year in high school.

School districts that require community service for graduation include Atlanta; Cincinnati; Washington, D.C.; Corpus Christi, Texas; and Jefferson Parish, Louisiana. The requirements are not limited to public schools. More than half of the 577 independent schools surveyed by the National Association of Independent Schools require students to perform community service.

In some cases, mandates have forced students not at all interested in volunteering to try it. Those students often discover they enjoy volunteering and benefit almost as much as the people they serve. This revelation is the result most hoped for by mandatory service proponents.

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Policy Options — Implementation Examples

While the hourly requirement seems to be the most popular policy for ensuring that students participate in community service, the implementation of other forms, including service-learning, is increasing steadily. At least 23 states and countless school districts have some policy on the books that support youth service or service-learning.

Examples of recent district and state policies requiring community service include the following:

- ***Chicago** — Students must serve at least 40 hours before they can graduate from high school.*
- ***Philadelphia** — Starting in 2002, students must complete a service-learning project to advance from the 4th, 8th or 12th grades. The school district is providing professional development in service-learning methodology for teachers and other staff, as well as other resources necessary for implementing widespread service-learning.*
- ***Minnesota** — Allows districts to levy funds for youth service, raising about $4 million annually for community-based education. The Youth Works Act of 1993 expanded K-12 service-learning programs, restored grant programs for higher education, created a full-time service corps and created a Youth Works Task Force staffed by the Department of Education.*
- ***Maryland** — The first, and only state to require community service for graduation from all public high schools, Maryland requires all students to complete 75 hours of service, including preparation, action and reflection components, prior to graduation.*

> ***"In the last three years, we have graduated more than 125,000 students in Maryland who have taken part in mandated service-learning. These service activities provide students with a valuable understanding of their role in society. As we work to make high school experiences more rigorous and meaningful for students, service-learning provides a critical reality check for each student. Service activities that combine academic material with acts of good citizenship make sense for all students."***
>
> — Nancy Grasmick, state superintendent of schools

Proponents of mandatory hours of service argue that the practice has the following benefits:

Arguments in Favor of Mandatory Hours of Service

- Community service is an excellent way to train young people for citizenship by engaging students in active civic participation.
- Service is a way to explore careers and gain work skills.
- All students benefit from the lessons learned through service, and mandating service is the only way to reach those who would never participate voluntarily.
- Participation in community service looks good on a college application.
- Policies requiring community service are fairly easy to implement.
- Community service meets or reduces community needs.
- Service requirements help schools align with standards.
- Public schools require other types of coursework or experiences for graduation, such as math homework or gym classes; therefore, schools can require community service.

Requiring students to do community service has two sides, however. The September 10, 1998, *Chronicle of Philanthropy* article said it best in its headline: "A Lesson in Mandatory Service — Requiring Students To Volunteer Proves To be a Mixed Blessing."

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Some teenagers resent the requirement and end up with a worse attitude toward volunteering than they had before their mandated service experience. One problem may be the type of service that students are asked to do. Students performing mandated service may be relegated to collecting coins tossed into downtown fountains or picking up trash from parks. While these services may be necessary, they are not likely to achieve the goals that proponents of the mandates have in mind, such as building an ethic of service or decreasing young people's isolation from their communities.

Arguments against mandated service vary from the constitutional to the philosophical and practical. Constitutionally, the argument against mandatory service that has received most attention is the one that parents in Bethlehem, Pennsylvania, used in a court case against the school district. The parents claimed that mandatory service is a form of involuntary servitude and is unconstitutional under the 13th Amendment, which generally has been interpreted by courts to prohibit coerced labor "akin to African slavery." The U.S. District Court for Eastern Pennsylvania dismissed the lawsuit in April 1992, and in 1997, the U.S. Supreme Court declined for the third time to hear legal challenges by students and their parents.

The term "mandated community service" is also problematic. It is often seen as pejorative and punitive in the public eye because the criminal justice system routinely uses it in sentencing convicted criminals. This problem equates community service with community restitution or even "punishment" for many observers, especially when mandated. Other criticisms of mandatory service include the following:

Arguments Against Mandatory Service

- Mandatory service is "involuntary servitude" and in violation of the 13th Amendment.
- Mandatory service violates the First Amendment right to freedom of religion because schools are trying to impose a certain set of values or a system of nontheistic religion.
- Service that must be completed outside of regular school time may interfere with participation in extracurricular activities, such as sports and music, part-time jobs and traditional homework time.
- Community service requirements are "make work" for young people and do not involve meaningful service experiences.
- "Caring" cannot be mandated.
- Service mandates pose logistical problems in terms of record keeping, transportation and liability insurance.
- Mandating service undermines the sincerity of the many students who already volunteer on their own.
- Mandated service programs place children in danger by sending them into places where adequate supervision is not guaranteed and there is potential for serious harm.

The Case For and Against Service-Learning

Many inspiring anecdotes have emerged around service-learning over recent years, and research is now catching up. Although more research is needed, existing evidence in support of service-learning is compelling. For example, Alan Melchior, deputy director and senior research associate for the Center for Human Resources, Brandeis University, says service-learning fosters school engagement, improved gradepoint averages in math and science, better civic attitudes as measured by social responsibility, increased acceptance of diversity and, for middle school students, a reduction in delinquency.

States and school districts that have opted to adopt policies that involve fully integrated service-learning include the following:

> ***"There are two essential purposes of public education: to learn (1) how to earn a living and (2) how to live productively within one's community. By teaching academics (reading, writing, math, etc.), we prepare students for these challenges. By integrating service-learning into the curriculum, we empower students to focus their talents for the betterment of the world around them."***
>
> — Randy Collins, Waterford Connecticut, superintendent of schools

- **San Diego** — Board of Education policy states the district "supports the integration of service-learning activities with the curriculum to enhance the relevance of their instruction and meet standards in all subject areas."
- **Waterford, Connecticut** — Board of Education policy requires each student to complete 80 hours of community service in the Learning Through Service Program as a requirement for graduation.
- **Hudson Public Schools, Massachusetts** — Committed to integrating community service-learning in all classes and all grade levels to enhance effectiveness of the instructional program. This involves ongoing professional development, collaborative planning, institutionalized teacher leadership and strong administrative support.
- **Vermont** — Incorporated service-learning into 1996 "Civic/Social Responsibility Standards." Students must demonstrate they are "taking an active role in their community."
- **South Carolina** — Includes service-learning as an approved component of the state's 1994 School-to-Work Transition Act.
- **Ohio** — Passed an Opportunities Mandate in 1992 that requires school districts to provide opportunities for students to serve.
- **Kentucky** — 1990 Kentucky Education Reform Act includes among its goals the development of a student's ability to "demonstrate effectiveness in community service."
- **California** — A 1998 report of a state service-learning task force contains eight recommendations for infusing service-learning as a teaching and learning strategy into all schools and communities. State Superintendent of Public Instruction Delaine Eastin also established two goals for infusing service-learning into state schools:
  - By the year 2000, 25% of California's 994 school districts should offer all students at least one community service or service-learning opportunity at each grade level (kindergarten-grade 5, grades 6-8, grades 9-12).
  - By the year 2004, 50% of California school districts should offer all students at least one service-learning opportunity at each grade level.

Policymakers and educators in these and other districts and states say fully integrating service-learning has the following benefits:

Arguments for Integrating Service-Learning into the School

- Service-learning is associated with positive youth outcomes, including civic engagement, the ethic of service, civic attitudes, a sense of belonging, acceptance of diversity, competence and self-esteem, and protection against risky behavior.
- Service-learning can increase student engagement in school and support academic achievement.
- Service-learning is a more active and experiential form of learning.
- Service-learning engages the community in education.
- Service-learning students provide higher-quality service to the community than those with a simple hours requirement because they are better prepared for the service activities and have the opportunity for structured reflection on the meaning of their service.

- The 1983 report issued by the Carnegie Foundation for the Advancement of Teaching recommended a new "Carnegie unit" in community service as an opportunity for young people "to reach beyond themselves."
- Service-learning can be used as a tool for teaching and learning without a service mandate.
- Service-learning aligns with the civic mission of most K-12 schools.

Reflection: An Invaluable Tool To Maximize Service-Learning

Personal reflection, an integral part of service-learning, can take many forms. Multiple forms of reflection increase what students are able to derive from the experience (Silcox, 1993; see Resources). For example, reflection can:

- Involve writing in a journal about the problems at hand, the service experience and what was learned
- Take place in small-group discussion in which students communicate with one another about their experiences and what they learned
- Give students an opportunity to identify community problems and develop plans for how to solve them
- Allow students to be active planners, collaborators and decisionmakers, which can be empowering and build competence
- Involve students creating portfolios or murals or other presentations about the problem, the people or the issue
- Take place at a number of times — both before the service (so as to plan and prepare it), while the service is being done and afterward.

Opponents, however, argue that service-learning benefits only a few students and has no place in the curriculum.

Arguments Against Integrated Service-Learning

- Service-learning benefits only the students involved, not the communities or populations served.
- Service-learning provides cheap labor for nonprofit organizations, but does not really benefit the students participating.
- Service-learning is an "add-on" and a burden to teachers.
- Service-learning activities may interfere with other academic/classroom learning or things that are perceived as more important, such as reading and math.
- Because service-learning is not a traditional academic subject, it cannot be measured or evaluated for the purpose of college admission.
- Service-learning is only for certain groups of students — either youth at risk or gifted/talented students.
- Service-learning involves logistical challenges, as does an hours-requirement, such as transportation and liability.

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Invitation May Be as Good as a Mandate

Little research exists comparing the relative effectiveness of community service hours and service-learning, but, overall, data show mandating service may be unnecessary. The key to getting students involved may be simply to make opportunities available.

According to a 1996 survey by the Independent Sector, 59% of 12 to 17 year olds reported volunteering over the last 12 months. Half of those students indicated they got involved through their school (the other half through a religious organization). More than half of the teens (51%) said they were asked to volunteer, with almost all (93%) of those doing so. Among teens who were not asked, only 24% actually volunteered. In other words, teens were nearly four times more likely to volunteer if asked than if they were not.

Data from *The Condition of Education 1998*, a compendium of educational statistics published each year by the U.S. Department of Education's National Center on Education Statistics, show that rates of voluntary service in schools that arrange, but do not require, community service activities for their students are almost as high as those that arrange and require volunteer projects. In both kinds of schools, just over half of 6th to 12th graders had spent some time volunteering. Rates were lowest in schools that required community service but did not help place students in an activity, indicating this may be the least effective way of implementing a service policy. Less than one-fifth of students in these schools had served any volunteer hours.

Whatever kinds of service experiences are made available to students, and whatever requirements exist, research strongly suggests that student autonomy is important if students are to internalize the values and attitudes embodied in their education experiences (Deci and Ryan, 1986). In fact, balancing students' needs for autonomy — to make decisions about how to solve problems they identify and to do so actively — with their need to feel a sense of belonging with others in school, appears to enhance the effectiveness of a variety of school-based interventions (Vallerand et al., 1997), including service-learning (Allen et al., 1994). Striking the right balance between these needs in service-learning activities may be more important than the mandatory/voluntary distinction. In addition, whether or not community service or service-learning is mandatory, it may be best promoted as an option and an opportunity that will be fun, as well as relevant to students' lives and education.

Conclusion

Policymakers, administrators and teachers increasingly are asking themselves about the potential value of community service in education, and whether or not it should be part of the required school curriculum. The answer to this question depends on the aims one wishes to foster in involving students in service.

Simply mandating the number of service hours students must complete offers service opportunities, but not necessarily integrated with their learning. If the aim is to cultivate civic awareness and citizenship, foster cooperation and acceptance of diversity, support character education, and enhance academic achievement, engagement and aspiration, then service-learning is the best option because it is known to promote these outcomes. Combining service with learning makes learning relevant to the real world, enhances education and gives students hands-on experience in using their knowledge.

National data suggest, however, that schools do not need to force youth to volunteer in their communities. Rates of voluntary service in schools that arrange, but do not require, community service activities for their students are almost as high as those that arrange and require volunteer projects. If requirements are instituted, they need to be implemented in a way that identifies and arranges service opportunities for students, and invites participation while also helping to make these experiences meaningful and engaging.

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Organizations

Compact for Learning and Citizenship
Education Commission of the States
www.ecs.org
303-299-3644

Campus Compact
www.compact.org
401-863-1119

Chronicle of Philanthropy
www.philanthropy.com
202-466-1200

Close-Up Foundation
www.closeup.org
800-CLOSE-UP

Constitutional Rights Foundation
www.crf-usa.org
213-487-5590

Corporation for National Service
www.nationalservice.org
202-606-5000

Education Week
www.edweek.org
301-280-3100

Institute for Justice
www.ij.org
202-955-1300

Learning In Deed: Making a Difference Through Service-Learning
An Initiative of the W.K. Kellogg Foundation
www.learningindeed.org
202-778-1040

National Dropout Prevention Center
www.dropoutprevention.org
864-656-2599

National Peer-Based Service-Learning Training & Technical Assistance Exchange
www.lsaexchnage.org.
877-572-3924

National Service-Learning Clearinghouse
www.nicsl.coled.umn.edu
800-808-SERV

National Youth Leadership Council
www.nylc.org
651-631-3672

Points of Light Foundation
www.pointsoflight.org
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www.rmcdenver.com
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TEACHER PREPARATION AND PROFESSIONAL DEVELOPMENT:
A VIEW FROM THE CORPORATE SECTOR

July 1999

Does education have anything to learn from the private sector about the preparation and continuing education of teachers?

On March 9, 1999, in Denver, twenty-five key leaders from around the country joined the incoming chairman of the Education Commission of the States (ECS), Wyoming Governor Jim Geringer to address this issue. Participants included corporate executives, private sector training consultants, education researchers, state policy advisors and several members of the ECS staff.

This issue is key for state education leaders now because:

- A growing number of education policymakers around the country are seeking to apply private sector measures of accountability and employ private sector evaluation and cost accounting tools in education.
- With the nearly universal adoption of student achievement standards and the growing emphasis on performance-based assessment within education, education seems more receptive than ever before to a range of corporate sector strategies.

Learning important lessons from the corporate world is most urgent regarding teacher preparation and continuing teacher education.

- There is the growing experience nationwide of a shortage of well-qualified teachers — witness, for example, California's need to grant emergency credentials to thousands of teachers each year.
- This shortage has motivated an interest in looking beyond traditional teacher preparation programs for promising alternatives that may bring additional qualified candidates into the teacher supply pipeline.
- There is growing impatience with the inefficiency and frequent ineffectiveness of existing teacher preparation programs that is opening the door to the entry of opportunistic, entrepreneurial for-profit providers — with an array of for-profit attitudes and practices — into the teacher training business.

Some of the private sector suggestions would likely require extensive restructuring of public education and significant state-level and district-level policy changes. Other private sector strategies could be effectively adapted for education without radical structural or policy changes.

Any application of private sector strategies to education faces differences between the two cultures.

- The private sector evaluates effectiveness in terms of results and performance.
  Although moving in that direction, education still often emphasizes credentials and inputs. If teachers can demonstrate their ability to perform well in the classroom, the length and path of their preparation should be irrelevant. Any institution capable of imparting the skill sets necessary for effective teaching should be eligible to participate in teacher preparation.

- Accountability in the private sector is limited to the key stakeholders of the individual corporation, largely the shareholders.
  In education, especially public education, there are many more stakeholders, including members of the community. This may explain, in part, why risk-taking and innovation are more prevalent in the private sector.

Improving teacher effectiveness is not only a question of adopting successful strategies but of creating an environment that promotes and sustains quality.

Whatever the theoretical potential for private sector strategies to be effective in education, the teaching and learning environment in many schools may prohibit the possibility of sustained teaching effectiveness and student achievement.

Efforts to promote teacher quality, especially for practicing teachers, must take advantage of informal learning opportunities.

Experts estimate that as much as 70% of the learning that goes on in private sector companies is informal, and not the result of programs deliberately aimed at specific learning goals. Thus, in addition to specific professional development strategies, private sector structures that promote less formal, effective opportunities for learning (including teacher self-assessment) also should be considered in education.

- Do adequate informal opportunities for teacher learning exist or can they be created?
- How can informal learning opportunities be used to achieve specific staff development goals?

Inflexible structures in education make informal learning more difficult.

In the private sector, high-growth organizations have flexible structures that promote informal learning. Education needs to have more flexibility if informal learning is to be more prevalent. This may imply more autonomy on the individual school level.

Informal learning for students, as well as teachers, implies the consideration of alternative teacher roles.

Informal learning for students is also a potential educational strategy. In an informal learning context, teachers become facilitators, mentors or resource providers. To the extent, then, that teachers can have a positive impact on the success of informal learning contexts, teacher preparation (whether formal or informal) should include informal teaching roles.

Professional development in education should align individual and organizational goals.

- In the private sector, organizational goals are set and the development of workers is based on those organizational goals.

  Even where there are national industry standards, these are contextualized in individual corporations. Corporate universities, for example, serve the corporation's strategic plan.

- In education, teacher training is rarely aligned with the strategic goals of a district or individual school.

  The focus is generally on the development of the individual teacher and assumes individual development will contribute to the goals of any education organization to which the individual teacher is attached. In light of the emphasis now put on student achievement standards, and the responsibility many schools and districts are given for insuring their students' performance against standards, it would seem imperative that professional development be aligned with school and district needs and goals.

Teacher preparation and professional development need to be more closely tied to practice.

- Private sector training emphasizes practice in a number of ways.

  Much private sector training uses apprenticeships. In addition, training in many corporations is delivered by people only one managerial level above those being trained and is frequently team-based. Corporate trainers often rotate in and out of the work force to keep their skills current and their training in touch with the realities of work.

- The equivalent of these practices in the training of teachers would involve extensive collegial mentoring or training, which is the common method of teacher training in Europe.
  Many more teachers would be involved in the training of their less senior colleagues than at present.

- The university preparation of teachers would include a much greater practical component.
  University faculty themselves would be encouraged to spend much more time in the K-12 classroom.

The incentive structure for teacher professional development needs to be changed.

- In the private sector, competitive pressures lend an urgency to the effective training of employees that doesn't exist in public education.
  It's not only an individual employee's job performance or career advancement that hinge on successful training efforts but, potentially, the very survival of the corporation. Thus, effective corporate training is aligned with company needs and strategic goals, and training budgets are based on these needs and goals.

- Translated into education, such an approach would mean that a district's professional development dollars should be targeted to those strategies that enable districts and individual schools to meet performance objectives that are set for their students.
  Schools and districts should be given the resources and autonomy required to meet their performance objectives, with consequences attached to their success and failure. Individual teachers would be responsible for participating in professional development that enhances their effectiveness in the classroom. Teachers should be given incentives for driving their own learning in directions that complement school and district objectives.

- In general, the incentive structure in education must do a much better job of rewarding and recognizing high performance and excellence.
  At the very least, this should involve a merit-based compensation system in which bonuses or salary increases are based on recent performance of the school, if not the individual teacher.

- There must be a clearly defined career path in education that rewards teachers for continuing excellence in the classroom and does not necessarily culminate in school administration.
  Certification by the National Board for Professional Teaching Standards is a step in that direction.

Teacher evaluation should be strongly performance-based.

- The evaluation of initial and ongoing competency is highly performance-based both in private corporations and in other professions. The market weeds out those whose performance is inferior.

- Teachers need to be evaluated against clear performance standards and on an ongoing basis.
  The goal of such evaluation should be continuous improvement and should be based on teacher content knowledge as well as student performance. Such performance-based evaluation opens the possibility of assigning work to teachers based on their demonstrated level of skill and of recommending appropriate professional development strategies that will address documented weaknesses.

Access to solid data in education needs to be enhanced.

Compared with the private sector, knowledge management in education is quite inferior. Teachers have both poor access to data and little training to help them use data to assess and improve their own performance and that of their students. This includes not only data that measures student mastery, such as student achievement scores, but also data that would give teachers more immediate, "just-in-time" feedback on student progress.

There must be a greater emphasis on the role of instructional leadership in education.

- Successful private sector leadership is strongly supportive of the need for effective workforce training. Executive leadership programs in the private sector stress the role of managers as instructional leaders, and managers are often offered financial and other incentives for fulfilling that role.

- There needs to be a much greater emphasis in education on the role of school administrators, at both the school and district level, in promoting the ongoing professional development of teachers. Incentives for school administrators must emphasize their role as instructional leaders. There also needs to be a greater emphasis in education on the effective preparation and ongoing development of administrators as instructional leaders.

As the Education Commission of the States carries out Governor Geringer's initiative, Quality Teachers for the 21st Century, during the 1999-2000 year of his ECS chairmanship and beyond, the contribution of the private sector will continue to be a focus of our efforts.

Participants at the March 9, 1999 meeting included, in addition to several members of the ECS staff:

Honorable Jim Geringer, Governor of Wyoming, ECS Chairman 1999-2000
Rita Meyer, Governor's Chief of Staff, Wyoming
Harry Brull, Personnel Decisions International (MN)
Tom Houlihan, North Carolina Partnership for Excellence
Bruce Haslam, Policy Studies Associates (DC)
Sabrina Laine, North Central Regional Education Laboratory (IL)
Randy Best, Voyager Expanded Learning (TX)
Terri Rayburn, Education Policy Advisor to Colorado Governor Bill Owens
Barnett Berry, National Commission on Teaching and America's Future (SC)
Monika Aring, Education Development Center (MA)
William Bickel, Learning Research and Development Center, University of Pittsburgh (PA)
Mary Buss, Board Member, National Board for Professional Teaching Standards (CO)
Morton Egol, Arthur Andersen (School of the Future) (NY)
Justin McMorrow, American Productivity and Quality Center (TX)
Sheree Speakman, Fox River Learning (IL)
Sheryle Bolton, Scientific Learning Corporation (CA)
Peter Dehring, US West (CO)
Anne Bouie, Center for the Development of Schools and Communities (CA)
Aimee Rogstad Guidera, National Alliance of Business (DC)
Ethan Sanders, American Society for Training and Development (VA)

For more information about the Education Commission of the States' work on teacher quality and professional development, contact Michael Allen, Policy Analyst, 303-299-3669 (mallen@ecs.org). For more information about ECS' efforts to connect public education and the private sector, call Nancie Linville, Director, Corporate Relations, 303-299-3648 (nlinville@ecs.org).

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The Education Commission of the States is a nonprofit, nationwide interstate organization that helps governors, legislators, state education officials and others identify, develop and implement public policies to improve student learning at all levels. It is ECS policy to take affirmative action to prevent discrimination in its policies, programs and employment practices.

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EDUCATION COMMISSION OF THE STATES
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Policy Brief

TEACHER EVALUATION

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Student Results and Teacher Accountability

May 1999

Overview

As evidence increasingly points to the key role good teaching plays in enhancing student achievement, policymakers, educators and parents are intent on holding teachers accountable for the success or failure of their students, and on finding reliable ways to assess teacher effectiveness.

States can employ a variety of strategies to try to ensure the competence of new teachers, from accreditation of schools of education to more stringent requirements for initial licensure or certification. Nearly all states insist that teachers meet some sort of requirement—often a specified amount of continuing education rather than any sort of performance-based assessment—in order to renew their teaching licenses. There is a growing concern, however, that such strategies do not guarantee the effectiveness of teachers and that they ultimately may be irrelevant or inappropriate measures of true teaching competence.

Similarly, advanced degrees and length of service provide no guarantee of a teacher's ability to produce significant learning gains in their students. Other indirect measures of teacher success include evaluation by peers or superiors and performance on various standardized tests. While there appears to be some correlation between teachers' success in the classroom and their performance on reliable tests of general knowledge, the correlation still lacks the force of a direct measure. Thus there are increasing calls to evaluate teachers' performance directly, by measuring and comparing the learning gains (usually on standardized tests) of every teacher's students.

Measuring teacher effectiveness in terms of student learning gains is an enticing option. It promises to cut through the less direct measures and indicators of teacher quality and go right to the heart of the matter. Regardless of credentials, regardless of experience, regardless of supervisors' prior evaluations, what really matters—what really proves if a teacher is doing his or her job—is whether students are learning.

New approaches to holding teachers accountable

Although no state has yet gone so far as to hold individual teachers accountable for the performance of their students, several states have implemented direct, performance-based assessments of teacher effectiveness. The results of these assessments are being used in various ways. For example:

- *Tennessee's* Value-Added Assessment System provides a sophisticated, longitudinal measure of the impact of individual teachers on individual students. Assessment results are used only to make recommendations to individual teachers about their need for professional development.

- In *Texas*, which has adopted a system similar to Tennessee's, one-eighth of every teacher's yearly evaluation is based on the schoolwide performance of students on statewide achievement tests.

- In *Minnesota*, teachers of Advanced Placement courses are given $25 cash bonuses for every student who scores a 3 or 4 on an AP test.

- In *Colorado*, school districts are instructed to use student performance data in teacher evaluations, but it is up to them to decide how to do so.

Policy and research issues

Given the potential power of teacher assessments based on student achievement data, why haven't states—especially Tennessee and Texas—gone further in using such assessments to reward and sanction teachers?

There are several barriers to tying student performance to teacher evaluation, some involving technical issues, others involving political and philosophical issues.

For example, both Tennessee and Texas, like most states, rely on standardized tests to assess student achievement. Apart from concern about the fairness of standardized testing to those students (especially minorities) who often score the lowest, many educators believe that such tests are a poor indicator of true student achievement. It is certainly possible to assess student achievement in other ways that may be fairer and more indicative of true achievement, but such alternatives (e.g., portfolio assessment) may be time-consuming, complicated and costly.

Beyond questions about the fairness and reliability of the student assessment instrument, there are concerns about the fairness of holding teachers responsible for individual students' performance results. Clearly, a student's background and abilities are significant factors in his or her success, independent of the influence of a teacher. No matter how good a teacher, it is much more likely that poorly prepared students who are faced with socioeconomic handicaps will not achieve at the level of abler students without such handicaps.

Thus, a frequent objection to the effort to hold teachers accountable for student achievement gains is that there are too many factors involved to be able to pin responsibility for good or poor student performance on teachers. The research of University of Tennessee professor William Sanders and others which labels teachers "effective" or "ineffective" according to the performance of their students is, according to this objection, too focused on teachers and insufficiently focused on other factors that affect student learning.

To be sure, all Sanders and others can claim is that certain teachers are effective or ineffective in the particular classroom situations that were studied. It may be that teachers whose students performed poorly on the examinations used for the data are perfectly capable teachers who happen to have students that don't match their skills or who are in schools that are a poor fit for their personality or skills. Nevertheless, Sanders' research indicates that if certain teachers' students repeatedly perform poorly there is cause for concern. Such a pattern suggests that these teachers either need help to become more effective with their students, need to be teaching in a different environment, or should not be teaching at all.

It is also important to note that Sanders' research – as well as data from Tennessee and Texas -- demonstrates a strong correlation between individual teachers and student achievement gains in spite of a number of socioeconomic and "environmental" factors that his analysis was able to factor out. These results suggest that effective teachers still can have significant impact on the learning gains of all students, regardless of circumstances. In other words, teachers of less able, disadvantaged students may not be expected to raise the achievement of these students to the level of high-achieving, less disadvantaged students, but they can be expected nevertheless to raise their achievement level significantly. Thus, it may be fairer to evaluate teachers not on the absolute level of their students' achievement but on their achievement gains.

What can states do to improve teacher accountability?

Clearly, the desire of states to more closely tie teacher accountability to student performance measures is both a reasonable and a feasible goal. Teachers can significantly impact student learning outcomes, regardless of other influences, and those teachers who don't have much impact, or whose impact is negative, are simply not doing their job.

Setting up an adequate teacher-evaluation system based upon student performance measures requires at least the following:

- A vehicle or protocol that reasonably measures student learning gains on state education standards
- A method of collecting and analyzing data that can generate a confident, "value-added" correlation between individual teachers and student learning gains over time, independent of other factors known to affect student performance, including the impact of previous teachers
- Appropriate appraisal of the data that emphasizes patterns of performance by individual teachers' students, not anomalies
- An initial corrective, rather than punitive, approach toward teachers whose students show a pattern of poor learning gains in recognition that additional teacher education, re-training, or re-assignment may alleviate the problem
- A buy-in from teachers and parents so that the evaluation will truly impact teacher performance, and that support for the proper use of evaluation data and for teacher remediation efforts will be forthcoming.

Finally, the responsibility of school and district administrative leaders should not be overlooked. Particularly when there is a pattern of poor student performance throughout an entire school or in many schools within a district, problems clearly go beyond the abilities of specific teachers. The school or district environment must be changed to increase the effectiveness of all teachers. If school and district leaders cannot be held responsible for the problem they should be held responsible for crafting a solution that makes their teachers and their schools more effective in promoting student learning.

Michael Allen, policy analyst, Education Commission of the States, wrote this policy brief.

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EDUCATION COMMISSION OF THE STATES
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CLEARINGHOUSE NOTES

Teacher Mentors/Induction

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Beginning Teacher Mentoring Programs

Information Clearinghouse
May 1999

In an evaluation of national and state studies about student achievement, the National Commission on Teaching and America's Future found that the most significant factor affecting achievement is teacher quality. Based on their evaluation, the Commission recommended that teacher preparation and professional development be reinvented, including the creation and funding of mentoring programs for beginning teachers.

Teacher mentoring is a formalized relationship between a beginning teacher and a master teacher (mentor) that provides support and assesses teaching skills. Duties of the mentor may include advising about instructional content and strategies, demonstrating classroom instruction, observing the beginning teacher's instruction, consulting about lesson plans and objectives, advising about school/district resources and student and parent relations, and informing the new teacher about the expectations of the school, the district, and the state.

More recent studies have also shown that mentoring dramatically increases the retention rate of new teachers.

Many states are presently considering legislation to establish or expand beginning teacher mentoring with the addition of accountability features such as stronger collaboration with colleges and universities, successful completion of a mentoring program before advancement to professional certification, and state level evaluation of mentoring programs.

State	**Authority**	**Components of Beg. Teacher Mentoring Programs**	**Funding**	**Requirements for mentors**	**Compensation for mentors & teachers**	**Includes evaluation of beginning teachers**	**Includes evaluation of mentor program**	**Program is voluntary for**	
								District	Beg. Teacher
Alabama		*Training design for mentors; network of regional inservice centers to assist local systems.	* No	* Demonstrates outstanding teacher's skills, minimum of three years of teaching experience, person who provides guidance in facilitative atmosphere.		* Formative only (employment status determined by other assessment.)	*Yes	* Yes	*Yes

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Arkansas		* Mandatory 27 ½ clock hours inservice per year.							
California	CAL. EDUC. CODE §§ 44279, 44491, 44492, 44496	Statewide program—California Beginning Teacher Support & Assessment System—that supports local programs for teachers in first two years of service.	17.5 million grants competitively awarded from state. Other state and local funds.	Mentors limited to 5% of total teachers in district, chosen by district committee. Mentors must teach at least 60%.	School districts apply for stipends for mentor teachers and grants for induction programs.	* Formative only.	*Yes	*Yes	*Yes
Colorado	COLO. REV. STAT. §§ 22-60.5-204, 22-60.5-205, 22.60.5-102	State Board approves districts' programs. May be extended to a maximum of three years.	No state funds.	Supervision by a mentor teacher required for alternative licensure candidates. Districts should recognize the significant duties and responsibilities of the mentor by "appropriate provisions."		Formative only. Performance evaluations conducted in accordance with 22-9-106.		*No	*No
Connecticut Education Enhancement Act 1986	CONN. GEN. STAT. § 10-220a CONN. AGENCIES REGS. § 10-220a-1 through a-16	Districts conduct programs	State provides training for mentors. State Department has annual institutes. ($3,000,000)	Mentors selected by local boards of education for a two-year commitment. Minimum of 3 years experience-1 year in mentor district, successfully demonstrate skills, has ability to relate to adult learners. Mentors and teachers meet weekly. Required number of beginning teacher observations.	Stipends for substitute time. Released time for beginning teachers to observe other teachers.	*Yes—up to six trained assessors using the CT Competency Instrument. Must pass to advance to next level of licensure.	*Yes	No	No

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State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Delaware		Local districts design. Teacher may stay a second year.	Local districts can apply for state grants. (~ $100,000)	For alternative licensure candidates.		*No		*Yes	*Yes
District of Columbia		* Includes all beginning teachers. Training for teacher and support team.	* Grants from $1,200,000 fund.	*Experienced teachers who have permanent certificate in area of mentoring; minimum of 5 years successful experience with at least two outstanding ratings within past five years.	*Mentors can be released. Mentors are released from classroom duties for up to 2 years when supervising 10 beginning teachers.	*Yes-by both principal and mentor. Mentors receive training in clinical observation and evaluation.	*Yes	*No	*No
Florida		* All beginning teachers required to complete the Florida Professional Orientation Program. Teacher may stay a second year. Training also for the support team.	*State funds of $3,400,042 for mentoring program and staff development.	*Mentors are voluntary and are trained on the Florida Performance Measurement system. Selected by the principal and beginning teacher.		*Yes	*Yes	*No	*No
Georgia	GA. COMP. R. & REGS. R. 505-2-.124	* Includes all beginning teachers. Training for teacher and support team.	*State funds	*Mentor is certified as a Teacher Support Specialist, has 3 years experience, excellent interpersonal skills, demonstrated professional competencies, completes 10 quarter hours of training.		*Yes-under the Georgia Teacher Evaluation Program for first three years.	*Yes	*Yes	*Yes
Hawaii	Teacher Standards board developing standards for initial licensing								

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Idaho	1998 legislature approved $375,000 for mentoring first year teachers								
Illinois	105 ILL. COMP. STAT. 5/22-11.4 ILL. ADMIN. CODE tit. 23, §25.442			Required for Teacher Corps for alternative licensure.	Grants from State Board for Teacher Corps.	Formative only.			
Indiana	IND. CODE ANN. §20-6.1	Districts responsible for programs. One-year internship for beginning teacher is required. Second year possible.	Professional Standards board provides assistance. State funds $1,530,000.	District assigns to new teachers a master teacher with at least five years experience, outstanding teaching skills, in the same building and at same grade level or subject area. Mentors recommended by local administrators. Observations and consultations with beginning teacher required.	State pays each mentor $600/yr. Released time for mentor, as practical.	*Yes—by principal using Beginning Teacher Assessment Inventory. Teacher who fails first year may repeat second. Those who fail second year may never teach in any certified school.	*Yes	No	No

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Kentucky	KY. REV. STAT ANN §161.030	First year internship required, second year possible, with assistance from a district beginning teacher committee.	* State funds $3,200,000.	Beginning teacher committee members must be trained in the Kentucky Teacher Internship Training Program. Mentor teacher is appointed by internship coordinators from the eight regional universities. Mentors have Master's degree and 4 years experience; must spend minimum of 70 hours with beginning teacher in observation and consultation.	*Mentors paid $1000 per year per beginning teacher.	*Yes—by committee using the Classroom Observation instrument of the State of KY, and based on teacher's portfolio and recommendations.	*Yes	No	No
Louisiana	LA. REV. STAT ANN. §§ 17.3771 & 17.3892	Each school assigns support team. Members of support team mandated by state legislation—principal, teacher- mentor, and external assessor. Requirements specified in Policies and Procedures for Louisiana Teacher Assessment, Bulletin 1943.	*Yes- State gives stipends for support team of $1,344 per beginning teacher.	School recommends mentors to local board. Mentor has minimum of 10 years experience, Master's degree and course in supervision.	*$1344 per beginning teacher.	*Yes-using the Louisiana Teacher Assessment Program—a process of rating teaching behaviors identified as the Louisiana Components of Effective Teaching.	*Yes	No	No
Maine		*All beginning teachers have a mentor in a two-year program.	*No	*Determined by local school unit. Mentor must have had peer-coaching training to do observations.		*No	*Yes	*No	*No

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Maryland	(House Bill 9) MD CODE ANN., § 5-206.1 and § 6-306	Competitive grants to districts for mentoring programs. Highest priority for teachers in schools where •40% students receive free/reduced lunch •50% or more teachers have under 5 years experience •student achievement at/below satisfactory level Program is aligned with 2-year probationary period, which may be extended to a 3rd year	Districts apply for state grants (total grants may not exceed $5 million for any fiscal year)		$2,000 for each teacher who performs as mentor in low-performing school	Yes	Yes	Yes	
Massachusetts	MASS. GEN. LAWS ch. 15A, §19C	Master Teacher Corps Program to mentor							

• Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Michigan	MICH. COMP. LAWS §380.1526 MICH. STAT. ANN. §15.41526	Includes all beginning teachers with less than three years experience. Districts manage a three-year program of at least 15 days of training, regional seminars and experiences in professional development schools.	*No state funds. Local districts must provide professional development activities and mentors.	Determined by local district. *Districts are encouraged to use Guidelines and Recommendations for the New Teacher Induction/ Mentoring process for Michigan.		*Yes		*No	*No
Minnesota	MINN. STAT. §§ 122A.68 & 122A.70	Districts encouraged to establish a one-year "teaching residency plan" under which beginning teacher can be hired at 75% of initial salary, if provided with a mentor and given no more than 80% of a full teacher workload						Yes	Yes

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

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State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Mississippi	MISS CODE ANN §§ 37-9-201 through 214; 37-149-1	Includes all beginning teachers. State Department develops program; districts conduct. Districts may coordinate program with universities.	Mississippi Teacher Center provides training and workshops for mentors and new teachers. *State funds--$20,000. Local funds--$580,000.	*Master teacher assigned by district; has at least three-years successful teaching and completed training for the evaluation of beginning teacher. Minimum- 90 hrs of contact during the school day.	May receive released time if no affect on other teachers.	*Yes—a team of supervisor, mentor and external evaluator are trained to utilize the Mississippi Teacher Assessment Instrument of 14 competencies. Teacher has three years to meet all 14 competencies.		*No	*No
Missouri	MO. REV STAT §168.400.4	*Includes all beginning teachers. Criteria set by local districts based on recommended guidelines.	* Local districts bear cost- 1% of state funding. Regional Centers preparing Title II Grant.	Each beginning teacher has a professional development committee selected by teachers.				No	
Montana		Preparation standards are in review. Mentoring will be part of the regulation.							
Nebraska	NEB. REV STAT §§ 79.758 (3) (c) & 79.761	State Board develops guidelines for districts.	Education Innovation Fund to provide funds to districts.	Permanent certificated teacher who has demonstrated competencies necessary for successful teaching.	May give stipends, release time, college credit, professional credit or class supplies.		Must have an evaluation component to measure effectiveness	Yes	Yes

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State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
New Hampshire	N H REV STAT ANN §189 14f	District applies to participate and then selects teachers. Beginning teacher can stay up to two years if district allows.	State funds-$20,000	Has Master's degree and at least 7 years of experience, demonstrated skill, and completed a course in supervision.				*Yes	*Yes
New Jersey	N J STAT ANN §18A-6-76 1	Dept. of Ed. approves district plans for all beginning teachers Professional support team composed of principal, mentor, college faculty member and a curriculum supervisor.		Dept. of Ed. provides county or regional training programs for mentors.	$550 for beginning teachers.	*Yes. Evaluation shared by support team who are appropriately certified. Both formative and summative evaluations.	*Yes	*Yes	*No
New Mexico		Includes all beginning teachers.	*Local district	*Holds a level 3A Instructional Leader License.		*Yes—principal evaluates to determine whether teacher meets the teaching competencies. Mentor to help with deficiencies.		*No	*No
New York	N Y EDUC LAW § 16-3033	Local boards or boards of cooperative services develop programs.	Costs for released time up to 10% of salary—capped at $16,500,000.		90% of a teaching schedule for both teacher & mentor.				

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State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
North Carolina	N.C. GEN. STAT. § 221	State Board develops with University of North Carolina. *Beginning teacher has a support team including mentor, principal or designee, and generalist or specialist.		State Board develops criteria for selection of mentors. Mentor teacher must hold the mentor license.	General assembly funds mentor compensation.	*Yes-using the North Carolina performance appraisal instrument by trained evaluators.		*No	*No
North Dakota		*Certification regulations encourage colleges to assist the first-year teacher.							
Ohio		*Includes all beginning teachers.	*Some state grants for start up.	Mentor has knowledge, skills and attitudes deemed essential in curriculum, management, and instruction.		*No	*Yes	*Yes	*Yes
Oklahoma		Local districts assign support teams composed of administrator, mentor, and higher education representative to all beginning teachers.	*State funds-$1,026,997.	*Mentor has two years experience, is recommended by bargaining unit or faculty, and selected by principal.	*State funds for $500 for mentor	*Yes-Principal for renewal, support team for competencies for certification.		*No	*No

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State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
Oregon	OR. REV. STAT. §§ 329.790, 329.795, 329.800, 329.810, 329.815, 329.820	State Board establishes. Districts implement. Evaluation of program done by Dept. of Ed.	Grants to districts from state funds	Master teachers must have minimum of 3 years successful teaching and complete training to be mentors. Minimum of 90 hours contact with new teacher. Dept of Ed. Provides workshops for mentors and new teachers.	Stipend for mentors. Any released time for mentors will not affect other teachers.				
Pennsylvania		Districts submit plan for how they will support beginning teacher.	* Funded by local districts.			*Yes	*Yes	*No	*No
Puerto Rico	P.R. LAWS ANN. tit. 3, § 17A-393d	Secretary coordinates program with university.							
Rhode Island	R.I. GEN. LAWS 16-7.1-2 (P.L. 1998, Chapter 31, Article 31, sec. 3)	Effective 7-99, every school district required to have a mentoring program in place. State-level proposal to have state set standards, train mentors, provide technical assistance to districts.	Some seed money has been available in past for pilot programs				"...Each strategic plan must indicate the manner in which self-studies will be completed..." (Mentoring plan is part of strategic plan.)		

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
South Carolina	S.C. CODE ANN. § 59-26-30	State Dept. of Education approves programs developed by school districts. Beginning teachers are on "induction" contracts.	*State funds-- $560,000 for all beginning teachers.	Mentor is a master teacher.		*Yes— recommended that there be three observers: principal, mentor, and one other.		*No	*No
Texas	TEX. EDUC. CODE ANN. §230.610	*Each beginning teacher is assigned a mentor.	* Local districts.						
Utah		* All beginning teachers have a district support team.	*Local districts.			*Yes	*Yes	*No	*No
Virginia	VA. CODE ANN. §22.1-305.1	State Board develops the Beginning Teacher Assistance Program.	State Board provides funds.		Compensation available for mentors.			*Yes	
Washington	WASH. REV. CODE §28A. 415.250 WASH. ADMIN. CODE §392	Superintendent of Public Instruction develops. Districts conduct one-year program.	*Variable state funds each legislative session.	*District bargaining unit helps select mentors who are superior teachers.	Stipends, workshops or substitute time.	Formative only.	*Yes	*Yes	*Up to district

* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

State	Authority	Components of Beg. Teacher Mentoring Programs	Funding	Requirements for mentors	Compensation for mentors & teachers	Includes evaluation of beginning teachers	Includes evaluation of mentor program	Program is voluntary for	
								District	Beg. Teacher
West Virginia	W VA CODE §§18A-3-2b &18A-3A-3	The Center for Professional Development establishes programs for every teacher with less than 5 years experience. One-year program may be extended to 2 years.	*State funds--$220,000	Joint planning periods for mentor and beginning teacher. Required time for observation and weekly meetings. Mentors and teachers attend professional development program for mentoring skills. Faculty senates recommend mentors.	Stipend of at least $600 and released time as agreed upon by principal and teacher.	*The principal will use an instrument now in the developmental stage.		*No	*No
Wisconsin			Grants from Governor to Dept of Education $500,000	*Mentors have minimum of three years experience and demonstrated skills in instruction and interpersonal relationships.		*District decision.	*Yes	*Yes	*Yes

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* Information from 1998-1999 National Association of State Directors of Teacher Education and Certification (NASDTEC)

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National Board for Professional Teaching Standards

Information Clearinghouse

June 1999

The National Board for Professional Teaching Standards (NBPTS) is an independent nonprofit organization of teachers and other education stakeholders working to advance the teaching profession by establishing high and rigorous standards, to certify teachers who meet those standards, and to advance related education reforms to improve student learning.

National Board Certification is the first standards-based professional teaching certification system, which defines advanced teaching competencies in core subject fields in grades Pre-K through 12. Additional standards and certificates are being developed for foreign language, health, music and physical education, special education, and vocational education. National Board Certification will also be offered in the areas of English as a second language, guidance counseling and library/media science. When fully established there will be 33 certification fields.

NBPTS seeks to identify and recognize teachers who effectively enhance student learning and demonstrate the high level of knowledge, skills, dispositions and commitments reflected in five core propositions. These propositions, expanded in more detail in "What Teachers Should Know and Be Able to Do" (Chapter II of the NBPTA policy statement), provide a vision of what National Board Certification exemplifies:

- Teachers are committed to students and their learning.
- Teachers know the subjects they teach and how to teach them.
- Teachers are responsible for managing and monitoring student learning.
- Teachers think systematically about their practice and learn from experience.
- Teachers are members of learning communities.

Mission

The mission of NBPTS is to establish high and rigorous standards for what accomplished teachers should know and be able to do, to develop and operate a national voluntary system to assess and certify teachers who meet those standards, and to advance related education reforms for the purpose of improving student learning in American schools.

The National Board envisions a revitalized system of American education in which its vision of accomplished teaching -- as embodied in its standards for what teachers should know and be able to do -- is integrated and accessible to all teachers throughout their professional lives, beginning with their pre-service preparation and continuing throughout their in-service years.

Eligibility

To be eligible to apply, a teacher must hold at least a baccalaureate degree, have taught a minimum of three years and have held a valid state teaching license for those three years. A National Board Certification is awarded to a teacher successfully completing a performance-based assessment that includes a school-site portfolio and written examination. A National Board certificate is valid for 10 years from the date of certification and is renewable.

Funding

Over 59% of NBPTS costs are financed by non-governmental sources (foundations, associations, businesses and private individuals). Grants from the National Science Foundation and the U.S. Department of Education support the National Board Candidate Subsidy Program, which provides funds to underwrite one-half of the $2000 application fee for a specific number of candidates from each state, depending upon the state population.

Fee Support and Salary Supplements

Financial support to teachers in the form of reimbursement for the NBPTS application fee and salary supplements for achieving certification varies greatly from state to state, with some providing no incentive support. In addition to or in lieu of funding provided by the National Board Candidate Subsidy Program, several states have passed legislation appropriating funds for support of teachers seeking and achieving National Board Certification (NBC). Florida does not accept any funds from the subsidy program, but instead, through the 1998 Excellent Teaching Program Act, the state legislature appropriated $12 million to support teacher participation in NBPTS.

Restrictions usually apply regarding qualification for state-legislated financial support. Examples of these restrictions include such conditions as graduation from an accredited teacher education program, current teaching licensure in the state, current teaching position in the state, and commitment to continue to teach in the state for an additional one to three years and to mentor other teachers seeking National Board Certification.

Salary supplements in the form of bonuses or percentage increase in base salary vary greatly, if provided at all through state legislation. Many local school boards and organizations provide salary supplements to National Board Certified Teachers, and a state-by-state listing of local support is available from NBPTS.

	Fee Support	Salary Supplements
Alabama		A NBC teacher shall be entitled to an additional $1500 per year and given to the teacher for each year thereafter. *ALA. CODE § 16-22-13*
Arkansas	To extent funds appropriated, Department of Education will pay ½ fee ($1000) and 3 paid days to teacher for portfolio preparation. *ARK. CODE ANN. § 6-17-413*	To extent funds appropriated, Department of Education will award a one-time bonus of $2000 and annual bonus of $2000 for life of certificate NBC teachers from out-of-state quality for these supplements. *ARK. CODE ANN. § 6-17-414*
California		To extent funds are available, the National Board for Professional Teaching Standards Certification Incentive program provides funds to school districts to award a one-time bonus of $10,000. *CAL. EDUC. CODE § 44396*
Florida	Excellent Teaching Program provides categorical funding for monetary incentives through DOE allocation: a one-time payment of 90% fee (but not more than $1800) and a one-time portfolio-preparation incentive of $150. *FLA. STAT. ANN. § 236-08106*	Excellent Teaching Program provides categorical funding for monetary bonuses through DOE allocation: an annual bonus equal to 10% of prior fiscal year's statewide average salary for classroom teachers for life of certificate. Additional 10% bonus to NBC teachers who mentor new teachers or as support mentors for NBC candidates. *FLA. STAT. ANN. § 236-08106*
Georgia	One-time reimbursement of application fee ($2000) upon certification and 2 days of approved paid leave to prepare the portfolio. *GA. CODE ANN. § 20-2-212.2*	NBC teacher to receive 5% rate increase in state salary, to be awarded on commencement of the school year following NBPTS certification. *GA. CODE ANN. § 20-2-212.2*

	Fee Support	Salary Supplements
Idaho		A teacher certified by NBPTS shall be designated as master teacher and receive $2000 per year for 5 years. The instructional salary shall be increased by $2000 for each master teacher, provided the master teacher shall be recognized as NBC teacher as of July 1 of each year *IDAHO CODE § 33-1004E*
Iowa	1997 enactment was deleted and replaced with a stronger pilot project: one-time reimbursement of up to one-half registration fee and following actual National Board certification, receives the remainder of the registration fee.	If teacher receives NBPTS certification by May 2000, upon application to state dept. teacher will receive annual award of $5000, not to exceed $50,000 over time. If teacher registers for NBPTS certification between 1-99 and 1-2002 and is not certified the first time but does achieve certification within three years, receives $2500 and upon application to department, receives annual award with limits mentioned above. Appropriated $300,000 for period 7-1-99 to 6-30-2004. Requires department to conduct a study of effects. *IOWA CODE § 256.44 (added by HB 766)*
	A teacher shall be reimbursed 1/2 the certification fee ($1000) after submitting documentation of NBPTS candidacy to the department of education. A teacher who achieves NBC shall be reimbursed the remaining 1/2 of the certification fee ($1000) after submitting documentation to the department of education. *IOWA CODE § 256.44 (added by SB2366 (1997))*	A teacher achieving NBC is eligible for an annual award of $10,000 for eligibility period, for five years or for the years the certificate is valid, whichever time period is shorter. *IOWA CODE § 256.44 (added by SB2366 (1997))*
Kentucky		NBPTS certification earns highest rank for state certification, which includes salary increase of approximately $2000. *KY. REV. STAT. ANN. §157.390*
Louisiana	State Board of Elementary and Secondary Education has allocated a $300,000 supplement over a 3-year period (1997-00) to provide fee support for NBC. *NBPTS*	
Maryland	Each teacher selected by the State Board to receive aid shall receive from the State an amount equal to the certification fee charged by NBPTS. County pays 1/3 of the registration to the state. Teachers who do not complete requirements for assessment must reimburse the state, which then reimburses the county. *MD. CODE ANN., EDUC. § 6-112* *1999 legislation (SB 273)* deleted "permanent program" reference and "extends" program. Set number of teachers to participate at 300 rather than 48.	
Massachusetts	To extent that funding is provided: Master Teacher Corps Program allows board of education to promulgate regulations to implement provision that department may provide partial or full reimbursement for assessments costs for NBPTS. *MASS. ANN. LAWS ch. 15A, § 19C*	To extent that funding is provided: Master Teacher Corps Program allows board of education to promulgate regulations to implement provision that department may select master teachers who have NBPTS certification, pass a challenging content test, and agree to mentor apprentice teachers and award ongoing salary bonuses of $5000 per year. Within said $5000 limit, the department may authorize a nominal payment to the school district of such master teachers to facilitate time for the master teacher to engage in mentoring activity.

	Fee Support	Salary Supplements
		Teacher with master teacher status shall have full parity in certification and compensation with teachers who earn master's degrees from approved high education institutions. *MASS. ANN. LAWS ch. 15A, § 19C*
Mississippi	Teachers completing NBC process and employed in a local district will receive reimbursement of the certification fee. *MISS. CODE ANN. § 37-19-7*	Teachers achieving NBC and employed in a local district will receive a salary supplement of $6000 per year for life of certificate. *MISS. CODE ANN. §37-19-7*
Nevada		District boards are required to increase salaries by 5% for teachers who maintain NBPTS certification and submit evidence on or before 9-15 each year. *NEV. REV. STAT. § 391.160*
New York	A grant in an amount of up to $2,500 shall be made available from the Albert Shanker NBPTS certification grant program to pay fee and 3 release days *N.Y. EDUC. LAW § 3004-a*	
North Carolina	Excellent Schools Act provides funds to pay the certification fee for teachers who complete the NBC process and provides up to 3 release days for portfolio and assessment preparation *N.C. GEN. STAT. § 115C-105.35*	Excellent Schools Act provides a 12% salary increase to NBC teachers' state-paid salary. Further, the goal of this act is to increase the salary for teachers with both the state's "Masters/Advanced Competencies" certification and the NBPTS certification to a minimum of $53,000 per year by the year 2000. *N.C. GEN. STAT. S 115C-105.35*
North Dakota	Appropriated $20,000 to pay one-half the fee for 20 teachers (effective July 1, 1999). *N.D. Cent. Code § 44-03-01.*	
Ohio	Appropriation item 200-542 shall be used by the Department of Education to pay the application fee for the first 400 applications received by the department. In addition, up to $300,000 shall be used each fiscal year by the Department of Education to support the connection of teacher applicants to university programs that enhance applicant learning and professional development during the National Board Certification process. *OHIO REVISED CODE ANN. § 3319.55*	
Oklahoma	Subject to availability of funds, the Oklahoma Commission for Teacher preparation will pay certification fee and $500 for candidate expenses. *OKLA. STAT. tit. 70, § 6-204.2*	The State Board of Education shall provide a bonus of $5000 annually no later than January 31 for life of certificate *OKLA. STAT. tit. 70, § 6-204.2*
Tennessee	General Assembly appropriated $50,000 to reimburse the certification fee (regardless of outcome) for up to 25 teachers *TENN. CODE ANN. § 49-5-5609*	
West Virginia	Subject to legislative appropriation and limitation of 100 teachers annually: $1000 shall be paid for reimbursement once a teacher enrolls in the NBPTS certification process and $1000 shall be paid for reimbursement once a teacher completes NBPTS certification. Additionally, teachers receiving NBC may be reimbursed a maximum of $600 for expenses actually incurred in the NBC process. *W.VA. CODE § 18A-4-2a*	Beginning on July 1, 1998 and subject to legislative appropriation: $1000 shall be paid annually, for the life of the certificate but no longer than 10 years, at the conclusion of the first semester to each teacher holding valid certificate issued by NBPTS. *W.VA. CODE § 18A-4-2a*
Wyoming	Reimburse certification fee for up to 50 teachers Who receive NBC and who agree to mentor at least one other teacher through NBC process *WYO. STAT. ANN. § 21-7-501*	

Licensure Renewal and Portability

Many states provide credit to teachers for recertification or relicensure based upon National Board Certification. Rules regarding credit are usually determined by the state department of education or other state regulatory board. The licensure renewal information not regulated by state legislation listed in the chart below is provided by NBPTS.

License portability is considered one of the advantages of earning NBPTS certification. As of March 1999, 11 states have signed the 1995-2000 NASDTEC Interstate Contract. The agreement provides that a National Board Certified teacher relocating to one of those states will be awarded the highest level state certificate in an area corresponding to that for which state certification is sought, provided the teacher holds a comparable and valid certificate from another state and complies with any requirements of the receiving state regarding degrees held, citizenship, fingerprinting, and moral, ethical, physical, and mental fitness. The 2000-2005 NASDTEC Interstate Contract must be validated by June 1999. Unless a state that signed the 1995-2000 NASDTEC Interstate Contract provides written documentation to the contrary, the state validation of the new contract is automatic.

According to Jayne A. Meyer of NASDTEC, states that do not or cannot choose the NBPTS option under the NASDTEC Interstate Contract make every effort to issue a license or certificate to National Board Certified teachers. An individual who holds valid certification by the NBPTS may be eligible for professional licensure or certification if the state to which the individual is relocating offers comparable licensure or certification in the area(s), grade level(s), and degree level(s).

Seven states have enacted legislation specifically addressing reciprocity for NBC teachers.

	Licensure Renewal	License Portability
Alabama		Shall use certification by NBPTS as national reciprocity when national certification has been fully implemented *ALA. CODE § 16-3-16*
Arizona	Recognizes teachers who hold National Board Certification as having met the requirements for a standard certificate in the corresponding educational area; NBC also meets the state's new professional growth requirement for certification renewal *NBPTS*	NASDTEC Interstate Contract
Arkansas		NASDTEC Interstate Contract
California		Shall be issued a clear teaching credential authorizing the teacher to teach in the subject area in which the teacher has received national certification *CAL. EDUC. CODE § 44397*
Colorado	HB 1058 authorizes the department of education to issue a professional teacher license ("master teacher" certification) to any person who obtains National [Board] certification; professional development activities associated with National Board Certification may be submitted for license renewal *1997 Session*	Department of education shall issue a professional teacher license to any person who obtains National Board Certification *RULE 2.03*
Florida		An out-of-state applicant qualifies for a professional certificate if the applicant meets the requirements of fingerprinting and valid standard certificate for other state and holds a valid certificate issued by NBPTS *FLA. STAT. ANN. § 231.173*
Georgia	Professional Standards Commission for Georgia has established certification rules that allow teachers achieving NBPTS certification during five-year renewal cycle to "renew clear	NASDTEC Interstate Contract

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	Licensure Renewal	License Portability
	renewable certificate fields for either the next cycle or the subsequent five-year cycle." *NBPTS*	
Illinois	Beginning January 1, 1999, persons who have successfully achieved NBC through NBPTS shall be issued a Master Certificate, valid for 7 years and renewable thereafter every 7 years through compliance with requirements et forth by the State Board of Education *105 ILL. COMP. STAT. 5/21-2*	NASDTEC Interstate Contract
Indiana		NASDTEC Interstate Contract
Iowa	An advanced teacher's license valid for eight years may be issued to an applicant who is the holder of or eligible for a continuing license, verifies 7 years of successful teaching experience, and completes a planned sequence of graduate level coursework tied to an endorsement earned through the NBPTS *IOWA ADMIN. CODE r. 282-14.13(272)*	
Kentucky	The chief state school officer, under administrative regulations of the Kentucky Board of Education, shall classify teachers who have met the requirements for Rank II and hold current certification of the NBPTS as Rank I (highest level) *KY. REV. STAT. ANN. § 157.390*	NASDTEC Interstate Contract
Maryland	State Department of Education will grant CEU equivalents to teachers who complete NBC process *NBPTS*	
Massachusetts	Department of Education recognizes NBC as an option for fulfilling the new requirements for teachers to become recertified *NBPTS*	
Michigan	State Board of Education has determined that teachers completing the portfolio component of NBC process will receive one-half credits required for renewal of the Professional Education Certificate; NBC teachers will receive full credits for one renewal and will receive credits for participating in assessor training and for serving as assessors *NBPTS*	NASDTEC Interstate Contract
Minnesota	The board of teaching shall offer alternative continuing relicensure options for teachers who are accepted into and complete the NBPTS certification process, and offer additional continuing relicensure options for teachers who earn NBPTS certification *NBPTS*	
Mississippi	Legislation has established that completion of NBC process will fulfill requirements for recertification *NBPTS*	
Missouri	Department of Education allows district discretion to use NBC activities for career ladder requirements and for new guidelines for Performance Based Teacher Education *NBPTS*	
Montana	Board of Public Education passed administrative rule (5/98) which rewards 60 renewal units toward recertification (relicensure) to teachers successfully completing NBC process *NBPTS*	NASDTEC Interstate Contract
New Jersey		NASDTEC Interstate Contract

	Licensure Renewal	License Portability
New Mexico	State Board of Education has adopted policy to grant a level 1 teaching license to any person certified by NBPTS (applicants must take Core Battery of the NTE) and a level 3A (Instructional Leader) license to any NBC teacher possessing a master's degree *N.M. ADMIN. CODE tit.6, § 4.2.2.3.8*	
North Carolina	State Board of Education has adopted policy recommendations to waive recertification requirements for up to five years following completion of NBPTS portfolio work *NBPTS*	State Board of Education has adopted policy recommendations to grant a teaching license to relocating teachers who possess NBC *N.C. GEN. STAT. § 115C-349 through 115C-358*
Ohio	Office of Teacher Education and Certification has determined that any Ohio teacher who completes the NBC process will receive enough equivalent continuing education credits for license renewal *NBPTS*	NASDTEC Interstate Contract
Oklahoma	It is the intent of the legislature that the Oklahoma State Regents for Higher Education incorporate the NBC portfolio development into all programs in education leading to a master's level degree *OKLA. STAT. tit.70, § 6-204.2*	Legislation established that Oklahoma Commission for Teacher Preparation may grant certification to out-of-state teachers who have achieved NBC without teacher having to fulfill additional requirements *OKLA. STAT. Tit. 70, §§ 508.1-508.3*
Oregon	Oregon Teacher Standards and Practices Commission has approved the redesign of licensing system which requires a teacher to complete an individualized plan for professional development in order to receive a Continuing License; NBC is encouraged as part of the professional development activities *NBPTS*	
Pennsylvania		The Professional Standards and Practices Commission shall have the power and its duty shall be to cooperate with a national board for professional education certification recognized by the commission to such degree as, in the commission's judgment, shall bring advantage to the Commonwealth *PA. STAT. ANN. tit. 24, § 2070.5*
Rhode Island		NASDTEC Interstate Contract
Tennessee	Board of Education adopted resolution that incorporates NBPTS five core propositions and the INTASC standards into the licensure standards and its Framework for Evaluation and Profession Growth; Board of Education recognizes participation in NBC process as a fulfillment of license renewal requirements *NBPTS*	
Virginia	Board of Education has determined NBC process is an option for an "educational project" that will allow teachers to earn 90 professional points of the required 180 for license renewal *NBPTS*	

Participation

Founded in 1987, the first cadre of National Board Certified Teachers was announced in 1994. As of March 1999, a total of 1837 certificates have been awarded, including two second certificates to two teachers.

The number of teachers who have earned certification varies tremendously from state to state. The states with the highest number of NBC teachers are **North Carolina** (536), **Ohio** (337), **California** (129),

Minnesota (90), **Michigan** (70), **New Mexico** (67), and **Mississippi** (62). Six states have no NBC teachers. During the 1998-99 school year approximately 7000 teachers applied for National Board Certification.

Beyond Certification

The National Board of Professional Teaching Standards is working with educators and policymakers to create a system of teacher preparation and professional develop that provides a well-aligned continuum of pre-service programs, initial licensure, in-service programs and National Board Certification. The Interstate New Teacher Assessment and Support Consortium (INTASC) is a 37-state cooperative initiative to develop model strands for the initial licensure of teachers that are compatible with National Board standards.

Contact Information

NBPTS has headquarters at 26555 Evergreen Road, Suite 400, Southfield, Michigan 48076 and an office located at 2200 Clarendon Boulevard, Suite 1401, Arlington, VA 22201. For more information and to order NBPTS products call 1-800-22Teach or access the web site at www.npbts.org.

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Legislative Summary: Trends in Teacher Recruitment

Information Clearinghouse May 1999

Teacher recruitment is being addressed across the nation in state legislatures. Broad themes and patterns are emerging out of recruitment policy. Recurring themes, among others, are the recruitment of qualified teachers, minority teachers, and teachers to critical shortage areas. State solutions are revealing patterns including: beginning recruitment at the high school and college levels; recruitment of mid-career professionals from other fields; scholarships and loan forgiveness; recruitment to substandard schools with economic hardships; and the creation of programs, positions, and agencies to promote recruitment. The following table offers brief descriptions of recruitment legislation and programs in several states.

State	Program Description	Purpose(s)	Citation
AR	Establishes "The Minority Teacher Recruitment and Training Program."	Minority recruitment	ARK. CODE ANN. § 6-17-1801
	Sets purpose as providing unified effort between school districts, higher education institutions and state departments (K-12 and higher education) to substantially increase the number of minorities choosing to prepare for teaching careers.		ARK. CODE ANN. § 6-17-1802
AZ	Instructs board of regents to establish a loan forgiveness incentive program at universities. Will establish guidelines for eligibility, application, & selection. Requires at least two academic years of full-time teaching in districts identified as economically disadvantaged or at risk. Establishes a fund for loans.	▪ Recruits university students to teaching in economically disadvantaged and at risk districts.	ARIZ. REV. STAT. § 15-1640
CA	Creates Governor's Teacher Scholars Program, a rigorous program to prepare teachers. Appropriates 7,000,000 to California regents for program implementation.	▪ Recruits talented students to become teachers for: ♦ Schools with high percentages of low-income students ♦ Schools with English language learners	CAL. EDUC. CODE § 92850
	Distribution of warrants for out-of-state teachers who hold credentials in their own states.	▪ Out-of-State Teachers	CAL. EDUC. CODE § 69613.5
CT	Establishes a teacher loan program for critical teacher shortage areas in academic fields. Makes a fund available for student loans to students studying to teach in those areas. Students who go on to teach in a critical shortage area shall receive loan forgiveness. Grants loan deferments to recipients for teaching in shortage areas or for hardships.	▪ Recruits university students to critical academic shortage areas. ▪ Incentive loans for future teachers. ▪ Loan forgiveness for service in academic shortage area. ▪ Loan deferments for service in academic shortage areas.	CONN. GEN. STAT. § 10a-163

State	Program Description	Purpose(s)	Citation
FL	Instructs Department of Education to develop a teacher recruitment and retention services office to advertise positions in targeted states, provide information related to alternative certification, and develop and sponsor Florida Future Educator Program, among other responsibilities.	▪ Qualified teachers ▪ Recruit more individuals to teaching	FLA. STAT. ANN. § 231.625
	Creates Florida Teacher Scholarship and Forgivable Loan Program administered by the Department of Education. Exchanges student loan forgiveness for teaching service in eligible shortage areas: low-economic urban or low-density, low-economic rural areas.	▪ Teachers to critical shortage areas ▪ Recruit capable and promising students to teaching ▪ Recruit persons making mid-career decision to teaching	FLA. STAT. ANN. § 240.4063
GA	HOPE Teacher's Scholarships Establishes scholarships for undergraduate or graduate students entering critical shortage fields of study or teachers seeking advanced degrees in critical shortage fields of study. Individuals must agree to teach at least one year for each scholarship year in a shortage area in a Georgia school.	▪ Scholarships for students or teachers in critical shortage fields.	GA. CODE ANN. § 20-2-519.8
	PROMISE Teacher's Scholarships Establishes scholarships for juniors and seniors in post-secondary institutions who have been accepted into a teacher education program in Georgia and agree to teach one year for each scholarship year in Georgia schools.	▪ Recruitment of college juniors and seniors into teaching.	GA. CODE ANN. § 20-3-519.7
IA	Establishes educational excellence program. Program is made up of three phases: recruitment of quality teachers, retention of quality teachers, and enhancement of quality teaching through the utilization of performance pay.	▪ Recruitment of quality teachers ▪ Retention of quality teachers ▪ Performance pay	IOWA CODE § 294A.1
IL	Minority Teachers of Illinois scholarship program. Establishes scholarships for eligible minority undergraduate students in teacher certification programs. Pays tuition, room, and board, maximum $5,000 annually. Requires recipients to teach at least one year for each scholarship year in an Illinois school with at least 30% minority students.	▪ Minority recruitment to teaching. ▪ Minority recruitment to schools with significant minority populations.	110 ILL. COMP. STAT. 947/50
IL	David A. DeBolt Teacher Shortage Scholarship Program. Establishes scholarships for eligible undergraduate students in teacher education programs leading to certification in teacher shortage disciplines. Recipients selected for academic excellence, minority status, and financial need. Pays tuition, room, and board, maximum $5,000 annually. Requires recipients to teach at least one year for each scholarship year in the shortage discipline in an Illinois school.	▪ Recruitment to teacher shortage disciplines ▪ Minority recruitment ▪ Qualified individuals to become teachers.	110 ILL. COMP. STAT. 947/52

State	Program Description	Purpose(s)	Citation
KY	Establishes teacher scholarships, loan cancellation, or loan repayment for eligible persons who agree to render teaching service in Kentucky. Failure to complete program or teaching service results in individual responsibility for repayment.	▪ Qualified individuals to become certified Kentucky teachers ▪ Teachers for critical shortage areas	KY. REV. STAT. ANN. § 164.769
LA	Directs Department of Education to establish a Teacher Recruitment Clearinghouse to serve as a depository for personnel files of former school employees. Availability lists shall be regularly published and circulated to school systems.	▪ State Teacher Recruitment Clearinghouse	LA. REV. STAT. ANN. § 17:1252
MD	Establishes student tuition assistance grants for the education of persons who will teach in critical or geographic shortage areas. Eligible persons include students and teachers. Full-time students will receive funding for tuition, fees, room, and board. Part-time students will receive funding for tuition and fees.	▪ Recruits teachers to critical academic shortage areas ▪ Recruits teachers to critical geographic shortage areas ▪ Grants for teacher education	MD. CODE ANN. EDUC. § 18-703
	Signing bonus of $1,000 to teacher who graduates from accredited institution in top 10% and and remains employed as teacher in the district for minimum of 3 consecutive years. Provides stipend up to $2,000 to teacher who holds standard or advanced professional certificate and holds a certificate issued by the National Board for Professional Teaching Standards (NBPTS). Provides $1500 state income tax credit to offset the tuition costs for teachers who take graduate courses required to maintain their certification.	▪ Recruits and retains high quality teachers	MD. CODE ANN. EDUC. § 6-306, § 10-712
	Provides stipend of $2,000 each year to teacher with advanced professional certificate who teaches in reconstitution school and performance is satisfactory.	▪ Recruits high quality teachers to public schools identified as reconstitution, reconstitution-eligible or challenge schools	MD. CODE ANN. EDUC. § 6-306
ME	Establishes student loan cancellation for high seniors and college students who will render services in schools in teacher shortage areas. One year of service is repayment for two or less years that a recipient received loans.	▪ Student loan cancellation ▪ Recruits teachers to shortage areas	ME. REV. STAT. ANN. tit. 20-A, § 12507
	Establishes student loan forgiveness for teachers and students pursuing postbaccalaureate teacher certification in a teacher shortage area, who will render services in schools in teacher shortage areas. One year of service is repayment for two loans received.	▪ Student loan forgiveness ▪ Recruits teachers to shortage areas	ME. REV. STAT. ANN. tit. 20-A, § 12508
MN	Establishes a grant program for scholarships and loans to assist American Indian people to become teachers and to provide additional education for American Indian teachers. One fourth of loan amounts will be forgiven for each year of teaching service.	▪ Minority recruitment ▪ Student loan forgiveness ▪ Student scholarships and loans	MINN. STAT. ANN. § 122A.63

State	Program Description	Purpose(s)	Citation
MN	Establishes for professional development programs to recruit and educate people of color in the field of education. Grants are made to school districts collaborating with teacher education programs for the purpose of recruiting people of color to the field of education. Grant recipients shall award stipends to cover tuition, fees, supplies, and books for students of color. Students must agree to teach in grantee school district for at least two years.	▪ Minority recruitment ▪ District grants ▪ Stipends for minority students	MINN. STAT. ANN. § 122A.64
MS	Charges the Mississippi Teacher center at the State Department of Education with the establishment of a critical needs teacher scholarship program and the creation of a professional teacher recruiter position.	▪ Critical teacher shortage areas ▪ High school to college programs ▪ College level programs ▪ In-state and out-of-state recruitment	MISS. CODE ANN. §§ 37-149-1 & 37-149- 7
	Provides funds for local school districts to reimburse licensed teachers for moving expenses to relocate to critical teacher shortage areas of the state. Authorizes reimbursement of teacher applicants for travel expenses for interviews in shortage areas.	▪ Incentive loans for teachers for service in rural shortage areas	MISS. CODE ANN. § 37-143-11
	Provides scholarships for already certified teachers to earn a Master's or specialist's degree while rendering service in a shortage area.	▪ Teacher Recruitment Center Teacher Renewal Institute	MISS. CODE ANN. § 37-149-3
	Establishes home loans for teachers in shortage areas and experimental rental housing.	▪ Annual assessment of teacher recruitment and incentives	MISS. CODE ANN. § 37-151-10
	Creates a special fund for implementation.	▪ Higher education collaboration with the teacher center	MISS. CODE ANN. § 37-159-9
MO	Requires Districts to develop recruitment and retention plans. Requires State Department of Education to report annually to general assembly on recruitment of teachers, numbers entering and leaving teaching, issues affecting recruitment, recruitment of males and minorities, and financial aid needs.	▪ Prospective teachers ▪ Males and minorities ▪ Recruits prospective teachers with financial needs	MO. REV. STAT. §§ 160.538 & 161.220
	Appropriates money from July 1, 1998 through June 30, 1999 for the expenses, grants, refunds, and distributions of the State Board of Education and Elementary and Secondary Education to fund a study on the retention and recruitment of teachers in the state.	▪ Study of recruitment and retention	MO. REV. STAT. § 2.006

State	Program Description	Purpose(s)	Citation
NC	Directs the State Board of Education and the Board of Governors of the University of North Carolina to develop a proposal for a lateral entry teacher licensure program. The proposal will include (i) Active recruitment of mid-career college graduates into teaching (ii) Intensive summer pre-service preparation (iii) Coaching, support, and continued professional preparation.	▪ Recruitment of mid-career college graduates to teaching ▪ Lateral entry recruitment program	1998 N.C. Sess. Laws 220
OH	Appropriates $1,321,292 to establish programs targeted at recruiting under-represented populations into teaching. Appropriation to fund alternative teacher licensure program and targeting of qualified candidates available as a result of downsizing of the military and business sectors. Emphasize recruitment of minority teachers for schools that have a high percentage of minority students.	▪ Minority recruitment ▪ Recruitment of mid-career candidates ▪ Recruitment of professionals downsized from fields other than teaching	Ohio House Bill 770 (1998)
OK	Re-creates Minority Teacher Recruitment Advisory Committee and the Minority Teacher Recruitment Center. Recruitment efforts will include funding of grants for campus-based recruitment, as well as retention and placement programs for minority students who wish to teach. A focus will be placed on minority high school juniors and seniors.	▪ Minority student recruitment into teaching ▪ Minority teacher retention	OKLA. STAT. tit. 70, §§ 6-129.1 & 6-130
OR	Requires the State Board of Higher Education to require public teacher education programs to create a plan with specific goals, strategies, and deadlines for the recruitment, admission, retention, and graduation of minority teachers.	▪ Minority recruitment ▪ Teacher Education Programs responsibilities for minority recruitment	OR. REV. STAT. § 342.447
PA	Urban and Rural Teacher Loan Forgiveness Act declaring payment for a portion of student loans held by certified and new teachers to encourage teachers to serve in economically hard-pressed areas of the state. Acknowledges declining numbers of students entering education, diminishing pool of qualified teachers (especially math and science), and difficulty of economically hard-pressed areas to attract teachers.	▪ Student loan forgiveness for teachers ▪ Recruitment to economically hard-pressed, teacher shortage areas	24 PA. CONS. STAT. § 5192
SC	Supplemental salary, fifty percent of current southeastern average teacher salary, in addition to teacher's own salary is being offered for recruited teachers who accept assignments in below standard and unsatisfactory schools.	▪ Recruitment incentives for below standard and unsatisfactory schools	S.C. CODE ANN. § 59-18-1530
	Directs the South Carolina Center for Teacher Recruitment to establish a program to expand the number of high achieving minority students entering teacher education programs.	▪ Recruitment of minority high school students into teaching ▪ Teacher Cadet Program ▪ Recruitment to high demand certification areas	S.C. CODE ANN. § 59-25-55

State	Program Description	Purpose(s)	Citation
TN	Directs the Commissioner to recommend, and the board to adopt, rules urging each local board of education to establish incremental goals for the recruitment, retention, and employment of African-American teachers, which at least reflect the percentage of African-Americans within the community served.	▪ Recruitment of African-Americans ▪ Recruitment to reflect communities served	TENN. CODE ANN. § 49-1-302
TX	Directs the Texas Education Agency to develop and implement a program to recruit talented students for entry into the teaching profession. Encourages existing commissioner to identify the need for teachers in specific areas, encourage underrepresented groups to enter teaching, consider existing minority recruitment programs, and work with business and surrounding community to develop recruiting programs and provide summer employment for teachers. Directs high school principals to appoint a volunteer teacher as a teacher-recruiting officer.	▪ Recruitment of high school students ▪ Minority recruitment ▪ Identification of recruitment needs	TEX. EDUC. CODE ANN §§ 21.004 & 7.021
Virgin Islands	Bilingual Education program includes recruiting and training persons to participate in bilingual education as teachers, teachers aides, or other ancillary education personnel.	▪ Bilingual Recruitment	V.I. CODE ANN. § 41a
VA	Virginia Teaching Scholarship Loan Program amended to increase the number of minorities pursing careers in teaching, assist paraprofessionals in becoming fully licensed, and increase the diversity of persons pursuing careers in teaching. Program has three components (i) awards to students pursuing degrees in shortage areas, (ii) awards to paraprofessionals, (iii) awards to at-risk students A fund is created to support the program.	▪ Minority Recruitment ▪ Paraprofessional recruitment into teaching ▪ Recruitment of at-risk students to increase diversity in teaching	VA. CODE ANN. § 22.1-212.2:1
WA	Creates a future teachers conditional scholarship program to recruit students who have distinguished themselves through outstanding academic achievement and students who can act as role models ' including those from targeted ethnic minorities.	▪ Recruitment of academically successful students ▪ Recruitment of ethnic minorities	WASH. REV. CODE ANN. § 28B.102.010
WI	Establishes a teacher loan program for minority college students enrolled in programs leading to teaching. Students must agree to teach in districts with at least 29% minority students. 25% of loans and interest will be forgiven for each year the recipient teaches in designated districts.	▪ Minority recruitment ▪ Student loans ▪ Loan forgiveness	WIS. STAT. ANN. § 39.40

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VOUCHERS, TAX CREDITS AND TAX DEDUCTIONS

Introduction

Parental choice of schools is one of today's more controversial education issues. The term "choice" encompasses a range of options, including home schools, magnet schools, interdistrict and intradistrict transfer programs, postsecondary enrollment programs, charter schools, vouchers, tax credits and tax deductions. Probably the most contentious school choice option is the use of public money in private and parochial schools, usually through a voucher, tax credit or tax deduction. For some, these options threaten the very existence of the public education system. For others, these options provide greater educational opportunities for students and, by introducing competition into the system, improve the public education system's performance.

Whatever one's position on vouchers, tax credits and tax deductions, it is clear that these options merit continued scrutiny, especially given that recent survey data show that public support for the use of tax dollars for private or parochial education has grown over the past few years. In fact, a 1998 Gallup poll found that a majority of all adults, for the first time, would support partial government payment of tuition at private or parochial schools. In an effort to provide such scrutiny, this policy brief defines the terms of the debate, provides public and private examples, presents opposing views, reviews the effects of vouchers, tax credits, and tax deductions and offers key questions.

Definitions

- A publicly funded voucher is a payment the government makes to a parent, or an institution on a parent's behalf, to be used for a child's education expenses.
- A privately funded voucher is a payment that a private organization makes to a parent, or an institution on a parent's behalf, to be used for a child's education expenses.
- A tax credit provides direct reductions to an individual's tax liability. For example, Jack owes $1,000 in income taxes. He is eligible, however, for a given state's $500 tax credit. He subtracts the $500 tax credit from the $1,000 tax liability, and now owes $500 in income taxes.
- A tax deduction is a reduction in taxable income made prior to the calculation of tax liability. For instance, Jill has a taxable income of $100,000. She, however, is eligible for a given state's $1,500 tax deduction. She subtracts the $1,500 from her income of $100,000, and now has $98,500 in taxable income.

Public Examples

The following states and territories have either voucher, tax credit or tax deduction programs: Arizona, Florida, Illinois, Iowa, Minnesota, Ohio, Puerto Rico and Wisconsin. In addition, Vermont and Maine have long-standing variants of a voucher program. Several other states have recently presented legislative proposals to provide tax breaks for K-12 education costs, and voucher bills have been recently debated in several legislatures. No state ballot initiative concerning vouchers, tax credits or tax deductions has passed to date.

Arizona (enacted in 1997)

In 1997, Arizona policymakers established two nonrefundable individual income tax credits. As provided by Arizona policymakers:

- Taxpayers may claim a tax credit of up to $500 for a cash contribution of up to $500 to a nonprofit organization that distributes scholarships or tuition grants to private and parochial schools which do not discriminate on the basis of several characteristics. This contribution cannot directly benefit the taxpayer's own child, and tuition organizations cannot designate the money to benefit students of only one private or parochial school.
- Taxpayers may claim a tax credit of up to $200 as reimbursement for fees paid to a public school for extracurricular activities (i.e., school-sponsored activities that require enrolled students to pay a fee to participate, including fees for band uniforms or equipment, uniforms for varsity athletic activities and scientific laboratory materials).

If the amount of the tax credit exceeds the amount of tax liability, then the taxpayer may carry the unused amount of the tax credit forward for up to five consecutive taxable years. For example, John makes a cash contribution of $500 to an eligible nonprofit organization and is thus eligible for a $500 tax credit. Because he owes only $300 in taxes in 1999, he may carry the remaining $200 forward until 2004 to offset his future tax liability.

Arizona's tax credit law was challenged in court. In January 1999, the Arizona Supreme Court ruled that the law does not violate state and federal constitutional prohibitions against government aid to religion. This decision was appealed to the U.S. Supreme Court. In October 1999, the U.S. Supreme Court declined to review the case, thus allowing the Arizona Supreme Court's ruling that the program is constitutional to stand.

Florida (enacted in 1999)

Florida lawmakers passed the first statewide voucher program in the nation during their 1999 session. Under the enacted legislation, each public school will receive a grade, from A to F. Top-performing and improving schools will receive additional state funding. In F-graded schools, students will be able to move to a higher-scoring public school or attend a private or parochial school with an opportunity scholarship worth at least $4,000.

At first, the opportunity scholarships will be limited to students in no more than four schools. However, it is projected that these scholarships may be extended to students in up to 170 public schools within the next two years. The private and parochial schools that accept these students are prohibited from collecting additional tuition, and are barred from requiring these students to participate in religious instruction, prayer or worship. Florida's voucher program is being challenged in state circuit court.

Illinois (enacted in 1999)

In their 1999 session, Illinois lawmakers enacted legislation granting tax credits to parents of children in public, private or parochial schools. Under the law, parents may reduce their state income tax bill by 25 percent of whatever they spend for their children's tuition, books and lab fees. In order to be eligible for the tax credit, parents must spend at least $250, and the tax credit may not exceed $500 per family. Illinois' tax credit program is being challenged in state circuit court.

Iowa (enacted in 1987; last amended in 1998)

In 1987, Iowa policymakers enacted a law that allowed parents to claim a tax deduction of up to $1,000 for each dependent's acceptable education expenses, which were defined as tuition and textbooks (excluding the costs of religious materials and extracurricular activities). Taxpayers who did not itemize their deductions could take the benefit in the form of a tax credit equal to 5% of the first $1,000 paid for each dependent's acceptable education expenses. Neither the deduction nor the credit applied to taxpayers whose net income was more than $45,000.

Since that time, Iowa policymakers have eliminated the tax deduction, and have revised the tax credit provision, most recently in 1998. As a result of the most recent revisions, parents are allowed to claim a tax credit of up to 25% of the first $1,000 for each dependent's acceptable education expenses, which now include public school extracurricular activities. In addition, the most recent revisions removed the $45,000 income ceiling on eligible taxpayers.

Iowa's initial program was challenged in court. In 1992, a U.S. District Court judge ruled the tax deductions and credits for parents who send their children to private and parochial schools do not violate the federal constitution's ban on government establishment of religion. The program, the court said, "does not create any kind of direct aid to parochial schools, nor does it create any kind of relationship between the state government and the parochial schools. The sole relationship is between the state and its taxpayers."

Minnesota (enacted in 1955; major amendments enacted in 1976 and 1984; last amended in 1997)

In 1955, Minnesota policymakers enacted a law that allowed parents to claim a tax deduction of up to $200 for tuition and other school expenses. Over the years, Minnesota lawmakers have enacted a variety of changes to this law. For example, in 1976, the maximum deduction was raised to $500 per child for elementary school expenses and $700 per child for secondary school expenses. In 1984, the maximum deduction was again raised, this time to $650 for elementary school expenses and $1,000 for secondary school expenses.

The most recent changes were enacted in 1997, during a special session held at the governor's insistence. Among other things, Minnesota policymakers:

- Increased the deduction to a maximum of $1,625 for elementary school expenses and $2,500 for secondary school expenses.
- Expanded the types of expenses that the deduction covers, so it is now available for tuition, textbooks, transportation, academic summer camps, summer school and up to $200 of the cost of a personal computer and education software. In addition, the deduction became available to persons who do not itemize deductions on their federal income tax form.
- Created a refundable tax credit of up to $1,000 per student or $2,000 per family for families with incomes under $33,500. The credit is available for the same education expenses as the deduction (textbooks, transportation, academic summer camps, summer school and up to $200 of the cost of computer hardware and education software), except that it does not cover tuition. If a family owes no taxes or owes less than the amount of the credit, they receive the difference as a refund. Expenses that exceed the credit amount may be used for the deduction.

Minnesota's original tax deduction program was challenged in court. In 1983, the U.S. Supreme Court ruled the program was constitutional. According to the court, the programs had the secular purposes of ensuring that Minnesota's citizenry is well-educated and that private and parochial schools' financial health remains sound, did not primarily advance sectarian aims of parochial schools and did not excessively entangle the state in religion.

Ohio (enacted in 1995; last amended in 1999)

In 1995, Ohio policymakers created a pilot scholarship and tutoring program in Cleveland. The program includes the following provisions:

- The amount of the scholarship is the lesser of two numbers: the public, private or parochial school's tuition or a state-established amount not in excess of $2,500.
- Students whose family income is below 200% of the maximum level established by the state superintendent of public instruction for low-income families qualify for 90% of the scholarship amount. Students whose family income is at or above 200% of that level qualify for 75% of the scholarship amount.
- Students may use the vouchers at the public, private or parochial school of their choice.
- Once a student enrolls in the program, he or she may remain in it through the 8th grade.
- Participating schools must register with the state superintendent of public instruction.
- No more than 25% of the scholarships can be awarded to students enrolled in a private or parochial school at the time they apply for a scholarship, although the enabling legislation allows that proportion to rise to 50%.

As of the 1998-1999 school year, 3,678 students in grades K-5 were participating in the program, although up to 4,000 are allowed to participate.

Ohio's program was challenged in court. In May 1999, the Ohio Supreme Court ruled that the Cleveland program was unconstitutional, but only on a technical issue. According to the court, the program was improperly enacted by the legislature, when it approved the original voucher legislation as part of a 1,000-page general appropriations bill in 1995. According to the court, this action violated a provision in the state constitution that requires each bill to address only one subject. The court, however, also stated that the program did not breach the separation of church and state in either Ohio or federal law.

As a result, Ohio policymakers passed legislation in June 1999 that reinstates the voucher program, and expands it to grade 6 in September 1999 and to grade 7 in September 2000. In this instance, the program was enacted as part of the state's education budget, as opposed to the state's general appropriations bill. A new lawsuit is likely to occur.

Puerto Rico (enacted in 1993; last amended in 1995)

In 1993, Puerto Rico policymakers enacted a pilot voucher program. The $10 million project enabled parents with annual incomes of less than $18,000 to receive vouchers for up to $1,500 toward tuition at the public, private or parochial school of their choice.

The Puerto Rico program was challenged in court. In 1994, the Puerto Rico Supreme Court ruled the pilot voucher program was unconstitutional. Because the decision was based solely on Puerto Rico's constitution, the case was not appealed to the U.S. Supreme Court. The program continues to operate, but students can move only to other public schools, meaning the voucher program has essentially become the equivalent of a public school open enrollment program.

In 1995, Puerto Rico policymakers established the "Educational Foundation for the Free Selection of Schools, Inc," a nonprofit corporation which provides financial aid for elementary and high school students in public, private or parochial schools. The program includes the following provisions:

- The annual income of a student's family cannot exceed $18,000.
- The amount of education financial aid cannot exceed $1,500 per student.
- The funds necessary to provide the aid come from donations by individuals or private institutions.
- Individual and institutional donors are eligible for a tax credit for their donations to the Educational Foundation. The amount of the credit cannot exceed $250 for individual taxpayers or $500 for corporations and partnerships. The amount of donations in excess of the credit can be used as a tax deduction.
- Participating schools must be licensed by the General Council of Education and have an admission policy free of discrimination.

Wisconsin (enacted in 1989; last amended in 1997)

Wisconsin policymakers approved the Milwaukee Parental Choice Program in 1989 and last amended it in 1997. The program includes the following provisions:

- The amount of the voucher is the lesser of two numbers: the private or parochial school's operating and debt service cost per pupil or the state's per-pupil aid to the Milwaukee Public Schools (MPS) (about $4,373 in 1996-97).
- Students qualify for vouchers if their family income is not greater than 1.75 times the poverty level and if they meet certain enrollment requirements (e.g., during the previous school year, they were enrolled either in the Milwaukee Public Schools (MPS), in a private school in Milwaukee, in grades K-3 in a private school outside of Milwaukee or were not enrolled in school).
- Students may use the voucher at the private or parochial school of their choice.
- Once a student enrolls in the program, he or she may remain in it through the 12th grade.
- Participating schools must notify the state of their intention to participate in the program, comply with certain laws and meet at least one of four legislatively established performance standards.
- No more than 15% of the school district's enrollment may attend participating schools in any school year.

As of the 1998-1999 school year, 6,194 students were participating in the program, although up to 15,000 are allowed to participate.

Wisconsin's program was challenged in court. In 1997, the Wisconsin Supreme Court blocked the expansion pending its ruling, but later was deadlocked and sent the case back to district court, where it was ruled unconstitutional. In June 1998, the Wisconsin Supreme Court ruled on appeal that the program is constitutional. This decision was appealed to the U.S. Supreme Court. In November 1998, the U.S. Supreme Court declined to review the case, thus allowing the Wisconsin Supreme Court's ruling that the program is constitutional to stand.

Vermont and Maine

If no public school exists to serve secondary school students in Vermont and Maine, these states allow districts to send students to private schools and pay their tuition. However, districts cannot send students to parochial schools.

Both programs have been challenged in court. In 1996, the town of Chittenden, Vermont agreed to pay the tuition for about a dozen families to send their children to parochial school. This action was challenged in court. In June 1999, the Vermont Supreme Court ruled that Chittenden's efforts are unconstitutional. According to the court, Chittenden's efforts violate the clause of the Vermont constitution that prohibits "compelled support" of places of religious worship.

In Maine, the Supreme Judicial Court of Maine and the U.S. Court of Appeals for the 1st Circuit, in two separate cases, ruled that the inclusion of religious schools in the program would violate the federal constitution's establishment clause and the exclusion of parochial schools from the program does not violate parents' right of free exercise of religion. The Maine Supreme Judicial Court issued its ruling in April 1999, and the U.S. Court of Appeals for the 1st Circuit issued its ruling in May 1999. The plaintiffs in each Maine case may appeal these rulings to higher courts.

Private Examples

A new wrinkle in the evolving public policy debate about tax credits, tax deductions and vouchers is the implementation of private voucher programs. Although there are several private organizations that provide scholarships for students to attend private and parochial schools, two of the more notable privately funded efforts are the Children's Educational Opportunity (CEO) America Foundation or the Children's Scholarship Fund (CSF).

Children's Educational Opportunity (CEO) America Foundation

The Children's Educational Opportunity (CEO) Foundation was founded in 1992 in Texas, with the purpose of increasing the number of educational opportunities available to low-income children through the provision of privately funded vouchers. In May of 1994, the CEO Foundation board established the Children's Educational Opportunity (CEO) America Foundation, or CEO America, a non-profit 501(c)(3) corporation, with the purpose of establishing privately funded voucher programs across the nation. At the present time, CEO America is affiliated with approximately 40 privately funded voucher programs throughout the country.

Perhaps CEO America's most controversial endeavor is the Horizon Program, which it started in the Edgewood School District in San Antonio, Texas in the fall of 1998. The purpose of this program is to offer every low-income student within the Edgewood School District the opportunity to attend the public, private or parochial school of his or her choice. Approximately 96 percent of the children within the Edgewood School District qualify for the Horizon Program's vouchers, which are worth up to $4,000. CEO America is providing up to $50 million over 10 years for this program. In the 1998-1999 school year, 837 students are participating in the program. Of these students, 566 had been in the Edgewood School District the previous year, 116 were starting in kindergarten, 50 had been attending private schools the previous year and another 105 had been attending public schools outside the Edgewood School District the previous year.

Children's Scholarship Fund (CSF)

The Children's Scholarship Fund (CSF) was created in 1998 by New York City investor Theodore J. Forstmann and Wal-Mart heir John Walton, who together pledged $100 million to help low-income parents send their children to private and parochial schools. The initial donation of $100 million drew $70 million in matching funds from other private sources.

In April 1999, CSF announced the names of 40,000 children that will receive scholarships from $600 to $1,600 a year for four years. According to CSF, 1,237,360 children applied for the scholarships, which amounts to about one out of every 50 schoolchildren in the country. CSF is also backing statewide programs in Arkansas, Michigan and New Hampshire, and is reserving 5,000 scholarships for applicants in an at-large pool.

Opposing Views

Proponents of vouchers, tax credits and tax deductions argue that these options will:

- *Enable more families to take advantage of a wide range of education opportunities.* Currently, only relatively wealthy families can afford to send their children to private and parochial schools. Less-advantaged families who want to enroll their children in such schools often must make a considerable financial sacrifice. Vouchers, tax credits and tax deductions make private and parochial schools more affordable for these families, providing them with a greater number of education opportunities.
- *Improve public schools through competition.* This argument is drawn directly from free market economics, which stresses the benefits of market competition. Under this view, vouchers, tax credits and

tax deductions will encourage competition between public, private and parochial schools and force the public schools to improve to retain their students.

- *Financially strengthen private and parochial schools.* An increase in private and parochial school enrollment will increase the flow of revenues into these schools, allowing financially struggling ones to remain open. An increase in demand for private and parochial education also could lead to the establishment of new schools.
- *Lower taxes for parents of school-age children, letting them keep more of their own money to spend as they see fit.* Tax credits and tax deductions may reduce the amount of state income taxes that parents of school-age children owe. Furthermore, with refundable tax credits, parents who owe no taxes or owe less than the amount of the tax credit will receive a check for the difference, thus allowing even the poorest families to benefit.

Opponents of vouchers, tax credits and tax deductions maintain that these options will:

- *Divert dollars from publicly accountable schools to private and parochial schools.* Public schools are required to maintain accountability with their taxpayers through a variety of measures, such as elections and open-meeting laws. Among other things, these measures allow taxpayers to know how their schools spend public dollars and what results their schools produce with these dollars. Within the private and parochial school setting, such safeguards do not exist. If funds go to private and parochial schools, taxpayers lose their right to know how public dollars are spent and what results these dollars produce.
- *Lower the quality of public education by easing the departure of students and families who are most informed about education choices.* Students who most often take advantage of public school choices tend to be from better-educated families. This trend may continue and could increasingly segregate the public, private and parochial schools along socioeconomic lines.
- *Increase the state's involvement in religious matters.* Through the implementation of vouchers, tax credits and tax deductions, the state may inappropriately endorse one religion over another, and unduly cross the tenuous line within both state constitutions' and the federal constitution's separation of church and state.
- *Help wealthy families more than low-income families.* Tax credits and tax deductions require families to pay the private or parochial school tuition before they are reimbursed (via the tax credit and/or tax deduction) on their next tax return — a requirement that low-income families may be unable to meet. Low-income families also may not be able to afford transportation to and from private and parochial schools. In addition, the tax credit may not cover the full cost of private or parochial school tuition or may provide only limited options of low-tuition schools. Also, if the supply of private and parochial schools is insufficient, existing tuition levels may increase, further limiting the options for lower-income students.

Effects of Vouchers, Tax Credits and Tax Deductions

There is little information available about the effects of tax credits and tax deductions. A number of different studies, however, have examined the effects of vouchers. Although it is difficult to make any definitive statements about the effects of vouchers, these studies have shed some light on who is participating in voucher programs and how satisfied these participants are with the programs. Critical unresolved issues, though, remain, and include the breadth of expanded options, especially for the poor, the impact on student performance and the effects on school quality.

Milwaukee Parental Choice Program

In 1998, University of Wisconsin at Madison professor John Witte released a review of the results of the first five years of the program (1990-1995). This study focused on the program in its original form, before the state expanded the number of students eligible to receive a voucher and allowed students to use vouchers at religious schools, and drew the following conclusions:

- Black and Hispanic pupils of very low income were the predominant participants, and 75% of applicants and enrollees were from single-parent households (a far higher percentage than that of the control group, made up of low-income public school students). Parental background data also indicated higher levels of educational attainment and support for education, and of dissatisfaction with prior public schooling, than prevailed among control group parents. In sum, the program did facilitate enhanced options for the most disadvantaged pupils.

- The data on the performance outcomes of students in the program was mixed. Pupils' aggregate scores over the life of the program remained consistently similar to those of the low-income control group, and significantly below national norms. However, unlike most inner city pupils, average scores did not substantially decline over the higher grades.
- Annual student attrition rates remained very high (over 30%), which is consistent with public elementary school mobility rates.
- Fewer than half of the eligible secular private schools participated in the program. This limited the number of available seats, but the applicant pool was correspondingly small, partly due to the apparent attraction of parochial schools in the area. A large private fund in Milwaukee offered scholarships to parochial schools, and drew three times the number of applicants.
- Four private schools closed, three in mid-year.
- The program engendered positive effects in the areas of program expansion, facility improvement and faculty turnover, seniority, diversity and certification.
- Satisfaction and support levels of parents participating in the program were consistently high, with levels of parental involvement increasing over time.

In the end, according to Witte, although the study's various methodological constraints caution against the drawing of any overly broad conclusions, this study reveals a successful targeting of very low-income minority pupils, and substantial gains in parental satisfaction and involvement. Moreover, the achievement data, though not marked as of yet by any significant improvement in scores (pending analysis of longer term data), does reveal some increased stability of student outcomes over time.

Two other studies have reached different conclusions on the issue of student achievement in the program. One study, by Harvard University professor Paul Peterson and his colleagues, finds that by the third and fourth year of the voucher program, students participating in the program had made sizable gains relative to their public school counterparts in both reading and math. The other study, by Princeton University professor Ceclilia Rouse, finds gains in math but not in reading. There are several reasons for these differences, including how each research team selected its control or comparison group and how they chose to adjust for any remaining differences between students who took advantage of the voucher and those who remained in the public schools.

Cleveland Scholarship and Tutoring Grant Program

In 1997, the Indiana Center for Evaluation released its evaluation of the first year of the Cleveland Scholarship and Tutoring Grant Program. Results of the Center's evaluation indicated that scholarship students:

- Were much like their public school peers in terms of gender, ethnicity, family income and proportion of single-parent homes.
- Were achieving at significantly higher levels than their public school classmates prior to entering the scholarship program.
- Did not appear to have made greater or lesser academic progress than they would have made had they remained in public schools.

In 1998, the Indiana Center for Evaluation released its evaluation of the second year of the Cleveland program. The Center found that:

- Students who continue in the program for at least two years are comparable to their public school peers in demographic characteristics and previous academic achievement. The scholarship program appears to provide additional educational options to low-income, minority, single-parent families, and seems to successfully meet the goal of educational choice without drawing only the best students from public schools.

- Students who use a scholarship to attend private and parochial schools experience a somewhat different classroom than their public school classmates. Scholarship classes are smaller than public school classes by about three students. Both public and scholarship classroom teachers possess at least an undergraduate degree, with public school teachers more likely to have taken some additional coursework. Public school teachers also had significantly more teaching experience than the scholarship class teachers.
- After approximately two years in the scholarship program, the impact of the program on students' achievement remains unclear. In general, scholarship students perform better than their public school classmates in language, but there are no significant differences in reading, science, mathematics or social studies. However, the academic performance of students in the two newly created schools, intended to focus on serving scholarship students, was significantly lower in each tested area than their public school peers or scholarship students who attend established private and parochial schools.

In September 1997, Harvard University professor Paul Peterson and his colleagues released another study of the program. This study reported the results of a survey of a random sample of parents who applied for a scholarship, including both parents of scholarship recipients and parents of non-recipients. It also reported test-score results for students attending two schools established in response to the creation of the program. Key findings include:

- The average family income of scholarship recipients from public schools was less than that of non-recipients who remained in public school. Similarly, the average family income of scholarship recipients from private schools was less than that of non-recipients who remained in private school. In other respects, scholarship recipients new to choice schools closely resembled non-recipients remaining in public schools.
- Parents of scholarship students who previously attended public schools were much more satisfied with every aspect of their choice school than applicants who did not receive a scholarship, but attended public school instead.
- Between September 1996 and May 1997, students at the two schools established in response to the creation of the program, on average, gained relative to the national norm five percentile points in reading and 15 percentile points in math. However, scores declined five percentile points in language skills.
- 7 percent of all scholarship recipients reported that they did not attend the same school for the entire year. Among recipients new to choice schools the percentage was 10 percent.
- When applicants remaining in public schools were asked why they did not participate in the program, parents most frequently mentioned transportation and financial factors as well as admission to a desired public school.
- 85 percent of the scholarship recipients from public schools said a "very important" reason for applying to the program was to enhance the "academic quality" of their child's education, followed by the "greater safety" to be found at a choice school (79 percent), "location" (59 percent), "religion" (37 percent) and "friends" (19 percent).

Once again, controversies exist between the Indiana Center and Harvard University evaluations of the Cleveland program, especially regarding the quality of the available test data and the appropriate statistical techniques used in analyzing it.

New York School Choice Scholarships Program

In October 1998, Harvard University professor Paul Peterson and his colleagues released their study of the first year of the New York School Choice Scholarships Program. Through this program, about 1,300 students received scholarships worth up to $1,400, to be used at the private or parochial school of their choice. These students were selected out of over 20,000 applicants through a lottery. The study takes advantage of the fact that the use of the lottery allowed for the conduct of a natural randomized experiment, in which students were allocated randomly to scholarship and control groups. According to the study, after one year, students who received a scholarship scored higher in math and reading tests than control group students, and parents of scholarship users are much more satisfied with their children's education than control group parents.

Key Questions

In evaluating vouchers, tax credit and tax deduction programs, state policymakers, educators and citizens may want to consider the following questions:

- *How much will the program cost? How will the program costs be covered?* It is difficult to estimate the total cost of these programs because the total number of families (within public, private and parochial schools) that will take advantage of this opportunity is unknown. Whatever the total cost of the program, the source of its funding needs to be defined clearly.
- *How will parents respond to the program?* Each parent's decision will hinge on a variety of factors, such as his or her knowledge about the available choices. Predictions of how many students will leave public schools are inconsistent and most likely only educated guesses. No one knows how many families are sufficiently discouraged with the public schools to enroll in a private or parochial school, if given the opportunity. Unless the amount of the voucher, tax credit or tax deduction is high relative to the average cost of attending a private or parochial school, these programs may stimulate little movement of children from public to private and parochial schools. Also, parents who want to switch schools through the program will be unsuccessful if the necessary spaces in private and parochial schools are unavailable.
- *How will institutions respond to the program?* The impact of these options on public, private and parochial institutions is unknown. If public school staffs believe parents might send their children elsewhere, they may work harder to accommodate parent expectations. In the private and parochial setting, schools may raise tuition, thus nullifying any benefit to parents. In addition, vouchers, tax credits and tax deductions may affect the degree to which private and parochial schools are self-regulated or state-regulated.
- *How does the program affect the relationship between church and state?* There is continuing debate about the appropriate links between government and religion, particularly within education. To determine any law's constitutionality, it must first be examined in light of individual state constitutions and then the federal constitution. The current U.S. Supreme Court's test for determining the constitutionality of state assistance to private schools was established in 1971 in *Lemon v. Kurtzman*. In that case, the court ruled that for a government program to be constitutional, it must have a secular purpose, have a primary effect that neither advances nor inhibits religion and must not lead to excessive entanglement between church and state.

Other relevant questions include:

- Who will receive the voucher, tax credit or tax deduction? Will every parent, regardless of income level and school setting (i.e., public, private, parochial, home), receive the same benefit?
- How many private and parochial schools have open seats, and are those available in urban, suburban and/or rural areas?
- Will private and parochial schools be allowed to deny admission to a student for certain reasons, such as discipline problems?
- Who will determine whether private and parochial schools are failing to admit lower-achieving students? If they do fail to admit such students, how will it be handled?
- Do private and parochial schools favor voucher, tax credit and tax deduction programs? Which ones favor these programs? Which ones do not?
- How will racial-balance issues be handled?
- Who will administer the program? Who will evaluate the program? Where will the funds for the administration and evaluation of the program come from?
- How will the state verify each taxpayer request? Will this cause the state to create a uniform student identification system?
- If a court challenge occurs, what is the potential cost to the taxpayer?

Conclusion

It is likely that publicly funded vouchers, tax credits and tax deductions will continue to be proposed, debated and possibly enacted in state capitols throughout the country over the next few years. In addition, given the unmet demand for privately funded vouchers, the use of such vouchers may increase in many parts of the country, particularly in urban areas.

Still, significant questions about vouchers, tax credits and tax deductions remain unanswered. As a limited number of states and districts move forward on implementing these options, many hope that clear and consistent answers emerge around the following questions: Under what circumstances are these programs constitutional? Do these programs increase the number of educational opportunities available to children? Do these programs improve the achievement of children? How do public schools react to these programs?

Notwithstanding the current absence of clarity on the effects of vouchers, tax credits and tax deductions, the usually heated discussion around these options is forcing states and communities to reexamine how to fulfill the American dream of an equal educational opportunity for all children. In short, these programs, in combination with other reforms such as charter schools and mayoral control of school districts, are altering the definition of public education in the United States at the close of the twentieth century.

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